

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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3

**SENATE BILL 257
Appropriations/Base Budget Committee Substitute Adopted with unengrossed
amendments 4/15/25
Finance Committee Favorable 4/15/25
Pensions and Retirement and Aging Committee Substitute Adopted 4/15/25
Third Edition Engrossed 4/17/25**

Short Title: 2025 Appropriations Act.

(Public)

Sponsors:

Referred to:

March 11, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS
3 OF STATE AGENCIES, DEPARTMENTS, AND INSTITUTIONS.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. TITLE AND INTRODUCTION**

7
8 **TITLE OF ACT**

9 **SECTION 1.1.** This act shall be known as the "Current Operations Appropriations
10 Act of 2025."

11
12 **INTRODUCTION**

13 **SECTION 1.2.** The appropriations made in this act are for maximum amounts
14 necessary to provide the services and accomplish the purposes described in the budget in
15 accordance with the State Budget Act. Savings shall be effected where the total amounts
16 appropriated are not required to perform these services and accomplish these purposes, and the
17 savings shall revert to the appropriate fund at the end of each fiscal year, except as otherwise
18 provided by law.

19
20 **PART II. CURRENT OPERATIONS AND EXPANSION/GENERAL FUND**

21
22 **GENERAL FUND APPROPRIATIONS**

23 **SECTION 2.1.(a)** Appropriations from the General Fund for the budgets of the State
24 departments, institutions, and agencies, and for other purposes, as enumerated, are made for each
25 year of the 2025-2027 fiscal biennium, according to the following schedule:

| 26 | | FY 2025-2026 | FY 2026-2027 |
|----|--|---------------|---------------|
| 27 | Current Operations - General Fund | | |
| 28 | | | |
| 29 | EDUCATION | | |
| 30 | North Carolina Community College System | | |
| 31 | Requirements | 2,181,902,384 | 2,131,628,971 |
| 32 | Less: Receipts | 400,787,849 | 398,313,878 |



| | | | |
|----|---|-----------------------|-----------------------|
| 1 | Net Appropriation | 1,781,114,535 | 1,733,315,093 |
| 2 | | | |
| 3 | Department of Public Instruction | | |
| 4 | Requirements | 15,043,864,593 | 15,140,028,934 |
| 5 | Less: Receipts | 2,979,142,635 | 2,773,998,833 |
| 6 | Net Appropriation | 12,064,721,958 | 12,366,030,101 |
| 7 | | | |
| 8 | THE UNIVERSITY OF NORTH CAROLINA | | |
| 9 | East Carolina Univ. - Academic Affairs | | |
| 10 | Requirements | 449,746,645 | 450,746,645 |
| 11 | Less: Receipts | 175,618,884 | 176,618,884 |
| 12 | Net Appropriation | 274,127,761 | 274,127,761 |
| 13 | | | |
| 14 | East Carolina Univ. - Health Affairs | | |
| 15 | Requirements | 121,853,241 | 121,853,241 |
| 16 | Less: Receipts | 14,708,326 | 14,708,326 |
| 17 | Net Appropriation | 107,144,915 | 107,144,915 |
| 18 | | | |
| 19 | Appalachian State University | | |
| 20 | Requirements | 361,221,568 | 362,221,568 |
| 21 | Less: Receipts | 151,358,973 | 152,358,973 |
| 22 | Net Appropriation | 209,862,595 | 209,862,595 |
| 23 | | | |
| 24 | Elizabeth City State University | | |
| 25 | Requirements | 57,575,597 | 58,575,597 |
| 26 | Less: Receipts | 9,062,050 | 10,062,050 |
| 27 | Net Appropriation | 48,513,547 | 48,513,547 |
| 28 | | | |
| 29 | Fayetteville State University | | |
| 30 | Requirements | 108,137,643 | 109,137,643 |
| 31 | Less: Receipts | 20,550,653 | 21,550,653 |
| 32 | Net Appropriation | 87,586,990 | 87,586,990 |
| 33 | | | |
| 34 | NC A&T University | | |
| 35 | Requirements | 265,794,998 | 277,409,534 |
| 36 | Less: Receipts | 103,066,524 | 104,066,524 |
| 37 | Net Appropriation | 162,728,474 | 173,343,010 |
| 38 | | | |
| 39 | NC School of Science and Mathematics | | |
| 40 | Requirements | 49,107,483 | 49,107,483 |
| 41 | Less: Receipts | 3,866,717 | 3,866,717 |
| 42 | Net Appropriation | 45,240,766 | 45,240,766 |
| 43 | | | |
| 44 | NC State University - Academic Affairs | | |
| 45 | Requirements | 1,069,920,970 | 1,077,384,903 |
| 46 | Less: Receipts | 500,608,834 | 507,708,834 |
| 47 | Net Appropriation | 569,312,136 | 569,676,069 |
| 48 | | | |
| 49 | NC State University - Ag. Research | | |
| 50 | Requirements | 83,589,800 | 83,589,800 |
| 51 | Less: Receipts | 20,124,784 | 20,124,784 |

| | | | |
|----|---------------------------------------|--------------------|--------------------|
| 1 | Net Appropriation | 63,465,016 | 63,465,016 |
| 2 | | | |
| 3 | NC State University - Coop. Extension | | |
| 4 | Requirements | 65,417,787 | 65,417,787 |
| 5 | Less: Receipts | 18,874,550 | 18,874,550 |
| 6 | Net Appropriation | 46,543,237 | 46,543,237 |
| 7 | | | |
| 8 | North Carolina Central University | | |
| 9 | Requirements | 155,704,790 | 156,704,790 |
| 10 | Less: Receipts | 57,132,154 | 58,132,154 |
| 11 | Net Appropriation | 98,572,636 | 98,572,636 |
| 12 | | | |
| 13 | UNC at Asheville | | |
| 14 | Requirements | 75,136,418 | 76,136,418 |
| 15 | Less: Receipts | 24,035,324 | 25,035,324 |
| 16 | Net Appropriation | 51,101,094 | 51,101,094 |
| 17 | | | |
| 18 | UNC at Chapel Hill - Academic Affairs | | |
| 19 | Requirements | 826,242,482 | 830,892,482 |
| 20 | Less: Receipts | 428,694,558 | 434,794,558 |
| 21 | Net Appropriation | 397,547,924 | 396,097,924 |
| 22 | | | |
| 23 | UNC at Chapel Hill - Area Health Ed. | | |
| 24 | Requirements | 56,855,450 | 56,855,450 |
| 25 | Less: Receipts | 0 | 0 |
| 26 | Net Appropriation | 56,855,450 | 56,855,450 |
| 27 | | | |
| 28 | UNC at Chapel Hill - Health Affairs | | |
| 29 | Requirements | 392,135,573 | 392,135,573 |
| 30 | Less: Receipts | 142,736,020 | 142,736,020 |
| 31 | Net Appropriation | 249,399,553 | 249,399,553 |
| 32 | | | |
| 33 | UNC at Charlotte | | |
| 34 | Requirements | 528,539,845 | 529,539,845 |
| 35 | Less: Receipts | 194,855,102 | 195,855,102 |
| 36 | Net Appropriation | 333,684,743 | 333,684,743 |
| 37 | | | |
| 38 | UNC at Greensboro | | |
| 39 | Requirements | 309,910,059 | 310,910,059 |
| 40 | Less: Receipts | 104,922,976 | 105,922,976 |
| 41 | Net Appropriation | 204,987,083 | 204,987,083 |
| 42 | | | |
| 43 | UNC at Pembroke | | |
| 44 | Requirements | 116,988,721 | 117,988,721 |
| 45 | Less: Receipts | 21,514,868 | 22,514,868 |
| 46 | Net Appropriation | 95,473,853 | 95,473,853 |
| 47 | | | |
| 48 | UNC at Wilmington | | |
| 49 | Requirements | 352,177,159 | 353,177,159 |
| 50 | Less: Receipts | 134,937,430 | 135,937,430 |
| 51 | Net Appropriation | 217,239,729 | 217,239,729 |

| | | | |
|----|---------------------------------------|--------------------|--------------------|
| 1 | | | |
| 2 | UNC BOG - Aid to Private Institutions | | |
| 3 | Requirements | 3,209,300 | 3,209,300 |
| 4 | Less: Receipts | 0 | 0 |
| 5 | Net Appropriation | 3,209,300 | 3,209,300 |
| 6 | | | |
| 7 | UNC BOG - Institutional Programs | | |
| 8 | Requirements | 1,041,871,791 | 302,391,251 |
| 9 | Less: Receipts | 751,500,000 | 46,300,000 |
| 10 | Net Appropriation | 290,371,791 | 256,091,251 |
| 11 | | | |
| 12 | UNC BOG - Related Ed. Programs | | |
| 13 | Requirements | 1,050,059,078 | 1,106,414,078 |
| 14 | Less: Receipts | 188,962,939 | 188,962,939 |
| 15 | Net Appropriation | 861,096,139 | 917,451,139 |
| 16 | | | |
| 17 | UNC School of the Arts | | |
| 18 | Requirements | 58,876,330 | 58,876,330 |
| 19 | Less: Receipts | 16,904,167 | 16,904,167 |
| 20 | Net Appropriation | 41,972,163 | 41,972,163 |
| 21 | | | |
| 22 | UNC System Office | | |
| 23 | Requirements | 45,207,311 | 45,207,311 |
| 24 | Less: Receipts | 4,009,217 | 4,009,217 |
| 25 | Net Appropriation | 41,198,094 | 41,198,094 |
| 26 | | | |
| 27 | Western Carolina University | | |
| 28 | Requirements | 202,007,511 | 202,241,223 |
| 29 | Less: Receipts | 36,651,773 | 37,651,773 |
| 30 | Net Appropriation | 165,355,738 | 164,589,450 |
| 31 | | | |
| 32 | Winston-Salem State University | | |
| 33 | Requirements | 95,443,876 | 96,443,876 |
| 34 | Less: Receipts | 26,700,103 | 27,700,103 |
| 35 | Net Appropriation | 68,743,773 | 68,743,773 |
| 36 | | | |
| 37 | HEALTH AND HUMAN SERVICES | | |
| 38 | Aging | | |
| 39 | Requirements | 162,915,759 | 162,947,825 |
| 40 | Less: Receipts | 110,495,226 | 110,495,226 |
| 41 | Net Appropriation | 52,420,533 | 52,452,599 |
| 42 | | | |
| 43 | Central Management and Support | | |
| 44 | Requirements | 412,128,436 | 422,383,440 |
| 45 | Less: Receipts | 172,006,912 | 172,356,352 |
| 46 | Net Appropriation | 240,121,524 | 250,027,088 |
| 47 | | | |
| 48 | Child and Family Well-Being | | |
| 49 | Requirements | 587,633,116 | 587,926,022 |
| 50 | Less: Receipts | 529,771,915 | 529,771,915 |
| 51 | Net Appropriation | 57,861,201 | 58,154,107 |

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|----|---|----------------------|----------------------|
| 1 | | | |
| 2 | Child Development and Early Education | | |
| 3 | Requirements | 990,933,974 | 981,756,397 |
| 4 | Less: Receipts | 663,936,608 | 654,236,609 |
| 5 | Net Appropriation | 326,997,366 | 327,519,788 |
| 6 | | | |
| 7 | Emp. & Indep. For People with Disabilities | | |
| 8 | Requirements | 192,301,284 | 191,621,377 |
| 9 | Less: Receipts | 148,446,353 | 147,558,152 |
| 10 | Net Appropriation | 43,854,931 | 44,063,225 |
| 11 | | | |
| 12 | Health Benefits | | |
| 13 | Requirements | 32,538,608,621 | 33,500,012,200 |
| 14 | Less: Receipts | 26,083,787,689 | 26,693,039,769 |
| 15 | Net Appropriation | 6,454,820,932 | 6,806,972,431 |
| 16 | | | |
| 17 | Health Service Regulation | | |
| 18 | Requirements | 81,712,464 | 80,480,845 |
| 19 | Less: Receipts | 57,846,866 | 57,854,112 |
| 20 | Net Appropriation | 23,865,598 | 22,626,733 |
| 21 | | | |
| 22 | Mental Hlth/Dev. Disabl./Subs. Use Serv. | | |
| 23 | Requirements | 1,763,591,519 | 1,770,189,290 |
| 24 | Less: Receipts | 1,004,406,871 | 1,020,145,036 |
| 25 | Net Appropriation | 759,184,648 | 750,044,254 |
| 26 | | | |
| 27 | Public Health | | |
| 28 | Requirements | 508,520,689 | 508,811,732 |
| 29 | Less: Receipts | 375,415,934 | 375,388,628 |
| 30 | Net Appropriation | 133,104,755 | 133,423,104 |
| 31 | | | |
| 32 | Services for the Blind/Deaf/Hard of Hearing | | |
| 33 | Requirements | 47,580,652 | 47,633,300 |
| 34 | Less: Receipts | 38,277,639 | 38,286,064 |
| 35 | Net Appropriation | 9,303,013 | 9,347,236 |
| 36 | | | |
| 37 | Social Services | | |
| 38 | Requirements | 2,234,496,236 | 2,247,290,611 |
| 39 | Less: Receipts | 2,012,293,694 | 2,016,966,010 |
| 40 | Net Appropriation | 222,202,542 | 230,324,601 |
| 41 | | | |
| 42 | AGRIC., NATURAL, AND ECON. RES. | | |
| 43 | Agriculture and Consumer Services | | |
| 44 | Requirements | 525,545,847 | 296,580,098 |
| 45 | Less: Receipts | 343,305,058 | 93,169,654 |
| 46 | Net Appropriation | 182,240,789 | 203,410,444 |
| 47 | | | |
| 48 | Commerce | | |
| 49 | Requirements | 289,341,642 | 284,250,285 |
| 50 | Less: Receipts | 82,602,791 | 77,352,791 |
| 51 | Net Appropriation | 206,738,851 | 206,897,494 |

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|----|-------------------------------------|----------------------|----------------------|
| 1 | | | |
| 2 | Environmental Quality | | |
| 3 | Requirements | 243,160,102 | 273,198,525 |
| 4 | Less: Receipts | 138,827,684 | 138,830,789 |
| 5 | Net Appropriation | 104,332,418 | 134,367,736 |
| 6 | | | |
| 7 | Labor | | |
| 8 | Requirements | 45,703,742 | 45,920,338 |
| 9 | Less: Receipts | 19,106,870 | 19,106,870 |
| 10 | Net Appropriation | 26,596,872 | 26,813,468 |
| 11 | | | |
| 12 | Natural and Cultural Resources | | |
| 13 | Requirements | 359,359,497 | 359,371,744 |
| 14 | Less: Receipts | 50,443,601 | 50,443,601 |
| 15 | Net Appropriation | 308,915,896 | 308,928,143 |
| 16 | | | |
| 17 | Wildlife Resources Commission | | |
| 18 | Requirements | 110,965,764 | 111,103,998 |
| 19 | Less: Receipts | 86,200,340 | 86,200,340 |
| 20 | Net Appropriation | 24,765,424 | 24,903,658 |
| 21 | | | |
| 22 | JUSTICE AND PUBLIC SAFETY | | |
| 23 | Administrative Office of the Courts | | |
| 24 | Requirements | 841,032,377 | 845,093,406 |
| 25 | Less: Receipts | 7,209,807 | 1,209,807 |
| 26 | Net Appropriation | 833,822,570 | 843,883,599 |
| 27 | | | |
| 28 | Indigent Defense Services | | |
| 29 | Requirements | 194,782,744 | 190,741,412 |
| 30 | Less: Receipts | 13,994,851 | 13,994,851 |
| 31 | Net Appropriation | 180,787,893 | 176,746,561 |
| 32 | | | |
| 33 | Adult Correction | | |
| 34 | Requirements | 2,150,041,042 | 2,165,757,470 |
| 35 | Less: Receipts | 21,455,170 | 21,455,170 |
| 36 | Net Appropriation | 2,128,585,872 | 2,144,302,300 |
| 37 | | | |
| 38 | Justice | | |
| 39 | Requirements | 118,187,493 | 118,723,609 |
| 40 | Less: Receipts | 50,114,998 | 50,114,998 |
| 41 | Net Appropriation | 68,072,495 | 68,608,611 |
| 42 | | | |
| 43 | Public Safety | | |
| 44 | Requirements | 897,114,592 | 887,268,176 |
| 45 | Less: Receipts | 205,113,467 | 199,369,487 |
| 46 | Net Appropriation | 692,001,125 | 687,898,689 |
| 47 | | | |
| 48 | State Bureau of Investigation | | |
| 49 | Requirements | 190,854,950 | 188,623,418 |
| 50 | Less: Receipts | 61,047,030 | 58,596,352 |
| 51 | Net Appropriation | 129,807,920 | 130,027,066 |

| | | | |
|----|---|--------------------|--------------------|
| 1 | | | |
| 2 | GENERAL GOVERNMENT | | |
| 3 | Administration | | |
| 4 | Requirements | 88,167,193 | 87,838,417 |
| 5 | Less: Receipts | 15,562,661 | 15,446,340 |
| 6 | Net Appropriation | 72,604,532 | 72,392,077 |
| 7 | | | |
| 8 | Administrative Hearings | | |
| 9 | Requirements | 11,173,220 | 10,336,590 |
| 10 | Less: Receipts | 4,021,520 | 1,521,520 |
| 11 | Net Appropriation | 7,151,700 | 8,815,070 |
| 12 | | | |
| 13 | Auditor | | |
| 14 | Requirements | 52,895,549 | 58,027,963 |
| 15 | Less: Receipts | 12,365,869 | 12,365,869 |
| 16 | Net Appropriation | 40,529,680 | 45,662,094 |
| 17 | | | |
| 18 | Budget and Management | | |
| 19 | Requirements | 12,820,660 | 12,897,248 |
| 20 | Less: Receipts | 1,001,597 | 1,001,597 |
| 21 | Net Appropriation | 11,819,063 | 11,895,651 |
| 22 | | | |
| 23 | Budget and Management - Special Approp. | | |
| 24 | Requirements | 19,300,000 | 16,850,000 |
| 25 | Less: Receipts | 1,500,000 | 1,500,000 |
| 26 | Net Appropriation | 17,800,000 | 15,350,000 |
| 27 | | | |
| 28 | Controller | | |
| 29 | Requirements | 38,051,149 | 38,256,937 |
| 30 | Less: Receipts | 1,723,209 | 1,723,209 |
| 31 | Net Appropriation | 36,327,940 | 36,533,728 |
| 32 | | | |
| 33 | Elections | | |
| 34 | Requirements | 22,552,422 | 9,616,261 |
| 35 | Less: Receipts | 13,102,000 | 102,000 |
| 36 | Net Appropriation | 9,450,422 | 9,514,261 |
| 37 | | | |
| 38 | General Assembly | | |
| 39 | Requirements | 103,524,571 | 104,137,558 |
| 40 | Less: Receipts | 767,526 | 561,000 |
| 41 | Net Appropriation | 102,757,045 | 103,576,558 |
| 42 | | | |
| 43 | Governor | | |
| 44 | Requirements | 13,011,177 | 13,058,659 |
| 45 | Less: Receipts | 6,140,294 | 6,140,294 |
| 46 | Net Appropriation | 6,870,883 | 6,918,365 |
| 47 | | | |
| 48 | Housing Finance Agency | | |
| 49 | Requirements | 10,660,327 | 10,660,327 |
| 50 | Less: Receipts | 0 | 0 |
| 51 | Net Appropriation | 10,660,327 | 10,660,327 |

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|----|---|--------------------|--------------------|
| 1 | | | |
| 2 | Human Resources | | |
| 3 | Requirements | 13,188,953 | 14,798,429 |
| 4 | Less: Receipts | 1,273,415 | 798,888 |
| 5 | Net Appropriation | 11,915,538 | 13,999,541 |
| 6 | | | |
| 7 | Industrial Commission | | |
| 8 | Requirements | 20,132,947 | 19,029,196 |
| 9 | Less: Receipts | 9,989,699 | 8,789,699 |
| 10 | Net Appropriation | 10,143,248 | 10,239,497 |
| 11 | | | |
| 12 | Insurance | | |
| 13 | Requirements | 52,604,785 | 53,043,086 |
| 14 | Less: Receipts | 9,252,247 | 9,358,231 |
| 15 | Net Appropriation | 43,352,538 | 43,684,855 |
| 16 | | | |
| 17 | Insurance - Fire Marshal | | |
| 18 | Requirements | 52,019,251 | 46,000,277 |
| 19 | Less: Receipts | 12,118,899 | 14,023,004 |
| 20 | Net Appropriation | 39,900,352 | 31,977,273 |
| 21 | | | |
| 22 | Lieutenant Governor | | |
| 23 | Requirements | 1,477,791 | 1,393,177 |
| 24 | Less: Receipts | 0 | 0 |
| 25 | Net Appropriation | 1,477,791 | 1,393,177 |
| 26 | | | |
| 27 | Military and Veterans Affairs | | |
| 28 | Requirements | 9,226,613 | 9,363,639 |
| 29 | Less: Receipts | 0 | 0 |
| 30 | Net Appropriation | 9,226,613 | 9,363,639 |
| 31 | | | |
| 32 | Revenue | | |
| 33 | Requirements | 210,260,575 | 210,049,000 |
| 34 | Less: Receipts | 78,596,148 | 75,777,870 |
| 35 | Net Appropriation | 131,664,427 | 134,271,130 |
| 36 | | | |
| 37 | Secretary of State | | |
| 38 | Requirements | 20,510,492 | 22,626,170 |
| 39 | Less: Receipts | 862,750 | 2,563,750 |
| 40 | Net Appropriation | 19,647,742 | 20,062,420 |
| 41 | | | |
| 42 | Treasurer | | |
| 43 | Requirements | 133,169,485 | 124,912,660 |
| 44 | Less: Receipts | 107,960,411 | 96,853,586 |
| 45 | Net Appropriation | 25,209,074 | 28,059,074 |
| 46 | | | |
| 47 | Treasurer - Other Retirement Plans/Benefits | | |
| 48 | Requirements | 25,655,407 | 26,005,407 |
| 49 | Less: Receipts | 0 | 0 |
| 50 | Net Appropriation | 25,655,407 | 26,005,407 |
| 51 | | | |

| | | | |
|----|--|------------------------|------------------------|
| 1 | INFORMATION TECHNOLOGY | | |
| 2 | Department of Information Technology | | |
| 3 | Requirements | 91,107,354 | 91,281,100 |
| 4 | Less: Receipts | 957,692 | 957,692 |
| 5 | Net Appropriation | 90,149,662 | 90,323,408 |
| 6 | | | |
| 7 | RESERVES AND LOTTERY | | |
| 8 | General Fund Reserve | | |
| 9 | Requirements | 15,918,756 | 27,005,183 |
| 10 | Less: Receipts | 0 | 0 |
| 11 | Net Appropriation | 15,918,756 | 27,005,183 |
| 12 | | | |
| 13 | Total Requirements | 71,672,439,622 | 71,794,798,774 |
| 14 | Less: Total Receipts | 39,084,630,721 | 38,473,836,769 |
| 15 | Total Net Appropriation | 32,587,808,901 | 33,320,962,005 |
| 16 | | | |
| 17 | SECTION 2.1.(b) For purposes of this act and the Committee Report described in | | |
| 18 | Section 45.2 of this act, the requirements set forth in this section represent the total amount of | | |
| 19 | funds, including agency receipts, appropriated to an agency, department, or institution. | | |
| 20 | | | |
| 21 | GENERAL FUND AVAILABILITY | | |
| 22 | SECTION 2.2.(a) General Fund Availability. – The General Fund availability | | |
| 23 | derived from State tax revenue, nontax revenue, and other adjustments used in developing the | | |
| 24 | budget for each year of the 2025-2027 fiscal biennium is as follows: | | |
| 25 | | | |
| 26 | | FY 2025-2026 | FY 2026-2027 |
| 27 | Unappropriated Balance Remaining FY 2024-25 | 48,073,341 | 988,429,749 |
| 28 | Anticipated Reversions | 500,000,000 | 500,000,000 |
| 29 | Anticipated FY 2024-25 Overcollections | 543,900,000 | - |
| 30 | Total, Prior Year-End Fund Balance | 1,091,973,341 | 1,488,429,749 |
| 31 | | | |
| 32 | Consensus Revenue Forecast | | |
| 33 | Tax Revenue | 33,388,800,000 | 32,657,100,000 |
| 34 | Non-Tax Revenue | 1,500,900,000 | 1,410,000,000 |
| 35 | Total, Tax & Non-Tax Revenue | 34,889,700,000 | 34,067,100,000 |
| 36 | | | |
| 37 | Revenue Changes | | |
| 38 | Adjustments to Tax Revenue | (119,235,000) | (99,493,000) |
| 39 | Adjustments to Non-Tax Revenue | 14,825,376 | 28,648,801 |
| 40 | Total, Revenue Changes | (104,409,624) | (70,844,199) |
| 41 | | | |
| 42 | Statutorily Required Reservations of Revenue | | |
| 43 | Savings Reserve | (44,799,750) | - |
| 44 | State Capital and Infrastructure Fund (SCIF) | (1,120,000,000) | (1,159,200,000) |
| 45 | Total, Statutorily Required Reservations of Rev. | (1,164,799,750) | (1,159,200,000) |
| 46 | | | |
| 47 | Discretionary Reservations of Revenue | | |
| 48 | Additional Transfer to Savings Reserve | (1,095,349,136) | - |
| 49 | Economic Development Reserve | (40,876,181) | (4,523,545) |
| 50 | Total, Discretionary Reservations of Rev. | (1,136,225,317) | (4,523,545) |
| 51 | | | |

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|---|--|-----------------------|-----------------------|
| 1 | Revised Total General Fund Availability | 33,576,238,650 | 34,320,962,005 |
| 2 | | | |
| 3 | Total, Net General Fund Appropriations | 32,587,808,901 | 33,320,962,005 |
| 4 | | | |
| 5 | Unappropriated Balance | 988,429,749 | 1,000,000,000 |
| 6 | | | |

7 **SECTION 2.2.(b)** Savings Reserve. – Notwithstanding G.S. 143C-4-2, the State
8 Controller shall transfer to the Savings Reserve the sum of one billion one hundred forty million
9 one hundred forty-eight thousand eight hundred eighty-six dollars (\$1,140,148,886) in
10 nonrecurring funds in the 2025-2026 fiscal year.

11 **SECTION 2.2.(c)** IT Reserve. – The State Controller shall reserve to the Information
12 Technology Reserve established in Section 2.2(h) of S.L. 2021-180 from the Stabilization and
13 Inflation Reserve established in Section 2.2(q) of S.L. 2022-74 the sum of one million dollars
14 (\$1,000,000) in nonrecurring funds for the 2025-2026 fiscal year. The State Controller shall
15 transfer funds available in the Information Technology Reserve to State agencies and
16 departments for information technology projects in accordance with the following schedule:

| 17 | State Agency or Department | 2025-2026 | 2026-2027 |
|----|---|------------------|------------------|
| 18 | | | |
| 19 | | | |
| 20 | (1) Department of Environmental Quality | | |
| 21 | (Budget Code: 24317) | \$10,510,000 | \$0 |
| 22 | (2) Department of Public Instruction | | |
| 23 | (Budget Code: 23515) | 45,000,000 | 0 |
| 24 | (3) Department of Administration | | |
| 25 | (Budget Code: 74100) | 6,000,000 | 0 |
| 26 | (4) Department of Revenue | | |
| 27 | (Budget Code: 13410) | 4,367,667 | 1,443,333 |
| 28 | (5) Department of State Treasurer | | |
| 29 | (Budget Code: 14700) | 5,560,000 | 0 |
| 30 | (6) Office of Administrative Hearings | | |
| 31 | (Budget Code: 18210) | 2,500,000 | 0 |
| 32 | (7) Office of State Human Resources | | |
| 33 | (Budget Code: 14111) | 1,172,527 | 698,000 |
| 34 | (8) State Board of Elections | | |
| 35 | (Budget Code: 18025) | 13,000,000 | 0 |
| 36 | (9) Office of State Budget and Management | | |
| 37 | (Budget Code: 23017) | 20,850,000 | 850,000 |
| 38 | (10) Office of State Auditor | | |
| 39 | (Budget Code: 13300) | 5,000,000 | 5,000,000 |
| 40 | (11) Division of Central Management and Support | | |
| 41 | (Budget Code: 14410) | 15,118,177 | 0 |
| 42 | (12) Division of Health Benefits | | |
| 43 | (Budget Code: 14445) | 4,560,000 | 9,100,000 |
| 44 | (13) Department of Public Safety | | |
| 45 | (Budget Code: 14550) | 5,743,980 | 0 |
| 46 | (14) State Bureau of Investigation | | |
| 47 | (Budget Code: 15020) | 2,555,250 | 0 |
| 48 | (15) Department of Information Technology | | |
| 49 | (Budget Code: 14460) | 481,770 | 481,770 |
| 50 | (16) Administrative Office of the Courts | | |
| 51 | (Budget Code 12000) | 6,000,000 | 0 |

1
2 **SECTION 2.2.(d)** Federal Infrastructure Match Reserve. –The State Controller shall
3 transfer funds available in the Federal Infrastructure Match Reserve established in Section 2.2(m)
4 of S.L. 2022-74 to State agencies and departments in accordance with the following schedule:
5

| 6 | State Agency or Department | 2025-2026 | 2026-2027 |
|----|---|------------------|------------------|
| 8 | (1) Department of Environmental Quality (Budget Code: 64311) | \$8,892,000 | \$8,892,000 |
| 10 | (2) Department of Environmental Quality (Budget Code: 64320) | 13,722,200 | 0 |
| 12 | (3) Department of Environmental Quality (Budget Code: 24300) | 1,388,921 | 0 |
| 14 | (4) Department of Environmental Quality Budget Code: 14300) | 850,000 | 850,000 |
| 16 | (5) Department of Commerce (Budget Code: 14600) | 250,000 | 0 |

18
19 **SECTION 2.2.(e)** Stabilization and Inflation Reserve. – The State Controller shall
20 transfer funds available in the Stabilization and Inflation Reserve established in Section 2.2(q) of
21 S.L. 2022-74 to State agencies and departments in accordance with the following schedule:
22

| 23 | State Agency or Department | 2025-2026 | 2026-2027 |
|----|--|------------------|------------------|
| 25 | (1) State Bureau of Investigation (Budget Code: 15020) | \$35,000,000 | \$35,000,000 |
| 27 | (2) Department of Agriculture (Budget Code: 13700) | 250,000,000 | 0 |
| 29 | (3) Department of Environmental Quality (Budget Code: 24327) | 55,000,000 | 55,000,000 |
| 31 | (4) UNC at Chapel Hill – Academic Affairs Budget Code: 16020) | 3,000,000 | 3,000,000 |
| 33 | (5) Department of Public Instruction (Budget Code: 13510) | 152,303,525 | 152,303,525 |

35
36 **SECTION 2.2.(f)** Economic Development Project Reserve. – The State Controller
37 shall reserve from funds available in the General Fund to the Economic Development Project
38 Reserve established in Section 2.2 of S.L. 2021-180 the sum of forty million eight hundred
39 seventy-six thousand one hundred eighty-one dollars (\$40,876,181) for the 2025-2026 fiscal year
40 and the sum of four million five hundred twenty-three thousand five hundred forty-five dollars
41 (\$4,523,545) for the 2026-2027 fiscal year. Additionally, the Controller shall reserve the sum of
42 two hundred fifty-eight million three hundred ninety-two thousand nine hundred fifty dollars
43 (\$258,392,950) in the 2025-2026 fiscal year from the Stabilization and Inflation Reserve
44 established in Section 2.2.(q) S.L. 2022-74 and the sum of fifteen million three hundred sixty-
45 one thousand twenty-one dollars (\$15,361,021) in the 2025-2026 fiscal year from the Information
46 Technology Reserve established in Section 2.2(h) of S.L. 2021-180.

47 **SECTION 2.2.(g)** Helene Reserve. – The State Controller shall reserve to the
48 Hurricane Helene Disaster Recovery Fund (Helene Fund) established in Section 4.1 in S.L. 2024-
49 51 funds transferred from the following for the 2025-2026 fiscal year:
50

| 51 | Source | 2025-2026 |
|----|---------------|------------------|
|----|---------------|------------------|

| | | | |
|---|-----|--------------------------------------|---------------|
| 1 | | | |
| 2 | (1) | State Emergency Response and | |
| 3 | | Disaster Relief Fund | \$116,716,887 |
| 4 | | | |
| 5 | (2) | Federal Infrastructure Match Reserve | 45,469,983 |
| 6 | | | |
| 7 | (3) | Medicaid Contingency Reserve | 476,512,736 |
| 8 | | | |
| 9 | (4) | Information Technology Reserve | 61,300,394 |

10
11 The State Controller shall transfer funds available in the Helene Fund to State
12 agencies and departments in accordance with the following schedule:

| 13 | | | |
|----|-----|---|--|
| 14 | | State Agency or Department | |
| 15 | | | |
| 16 | (1) | NC Community College System | |
| 17 | | (Budget Code: 16800) | \$2,473,971 \$0 |
| 18 | (2) | Department of Commerce | |
| 19 | | (Budget Code: 14600) | 5,000,000 0 |
| 20 | (3) | Office of the Governor | |
| 21 | | (Budget Code: 13000) | 5,000,000 5,000,000 |
| 22 | (4) | University of North Carolina – Board of Governors | |
| 23 | | Institutional Programs | |
| 24 | | (Budget Code: 16011) | 8,000,000 0 |

25
26 **SECTION 2.2.(h)** Reservations Not Appropriation. – Funds reserved pursuant to
27 this section do not constitute an "appropriation made by law," as that phrase is used in Section
28 7(1) of Article V of the North Carolina Constitution.

29
30 **PART III. HIGHWAY FUND AND HIGHWAY TRUST FUND**

31
32 **CURRENT OPERATIONS AND EXPANSION/HIGHWAY FUND**

33 **SECTION 3.1.** Appropriations from the State Highway Fund for the maintenance
34 and operation of the Department of Transportation and for other purposes, as enumerated, are
35 made for each year of the 2025-2027 fiscal biennium, according to the following schedule:

| 36 | | | |
|----|--|-----------------------------------|--|
| 37 | | Highway Fund | |
| 38 | | | |
| 38 | | Administration | FY 2025-26 FY 2026-27 \$125,175,472 \$125,175,472 |
| 39 | | Division of Highways | |
| 40 | | Administration | 55,675,557 55,675,557 |
| 41 | | Construction | 89,643,078 82,643,078 |
| 42 | | Maintenance | 2,405,175,949 2,319,193,319 |
| 43 | | Governor's Highway Safety Program | 351,695 351,695 |
| 44 | | OSHA | 358,030 358,030 |
| 45 | | Aid to Municipalities | |
| 46 | | Powell Bill | 135,875,000 135,875,000 |
| 47 | | Intermodal Divisions | |
| 48 | | Ferry | 78,841,173 87,957,728 |
| 49 | | Public Transportation | 69,570,554 71,570,554 |
| 50 | | Aviation | 192,320,982 173,146,238 |
| 51 | | Rail | 24,367,607 24,367,607 |

| | | | |
|---|---|------------------------|------------------------|
| 1 | Division of Motor Vehicles | 159,082,029 | 159,120,209 |
| 2 | Other State Agencies, Reserves, Transfers | 51,226,553 | 60,772,240 |
| 3 | Capital Improvements | 10,797,739 | 47,793,273 |
| 4 | Highway Fund Total | \$3,398,461,418 | \$3,344,000,000 |

5

6 **HIGHWAY FUND AVAILABILITY**

7 **SECTION 3.2.** The Highway Fund availability used in developing the budget for
8 each year of the 2025-2027 fiscal biennium is as follows:

9

| 10 | | FY 2025-2026 | FY 2026-2027 |
|----|---|------------------------|------------------------|
| 11 | Beginning Balance | \$0 | \$0 |
| 12 | | | |
| 13 | Consensus Revenue Forecast | | |
| 14 | Motor Fuels Tax | 1,866,100,000 | 1,891,500,000 |
| 15 | Licenses and Fees | 1,097,500,000 | 1,116,000,000 |
| 16 | Sales Tax Transfer | 171,500,000 | 176,900,000 |
| 17 | Short-Term Lease | 113,100,000 | 114,900,000 |
| 18 | Investment Income | 50,200,000 | 37,600,000 |
| 19 | Transportation Commerce Tax | 7,000,000 | 7,300,000 |
| 20 | | | |
| 21 | Adjustments to Availability | | |
| 22 | DMV IT Modernization Carry Forward Cash Balance | 65,000,000 | 0 |
| 23 | Remaining Dorian Appropriation | 28,161,418 | 0 |
| 24 | Sales Tax Net of Trade | (100,000) | (200,000) |
| 25 | | | |
| 26 | Total Highway Fund Availability | \$3,398,461,418 | \$3,344,000,000 |

27

28 **HIGHWAY TRUST FUND APPROPRIATIONS**

29 **SECTION 3.3.** Appropriations from the State Highway Trust Fund for construction,
30 for operations of the Department of Transportation, and for other purposes as enumerated are
31 made for each year of the 2025-2027 fiscal biennium according to the following schedule:

32

| 33 | Highway Trust Fund | FY 2025-26 | FY 2026-27 |
|----|-------------------------------------|------------------------|------------------------|
| 34 | Program Administration | \$66,117,311 | \$45,117,311 |
| 35 | Bond | 121,440,275 | 121,436,275 |
| 36 | Turnpike Authority | 49,000,000 | 49,000,000 |
| 37 | State Ports Authority | 45,000,000 | 45,000,000 |
| 38 | FHWA State Match | 6,048,440 | 6,048,440 |
| 39 | Strategic Prioritization Funding | | |
| 40 | Plan for Transportation Investments | 2,200,053,974 | 2,279,257,974 |
| 41 | Transfer to Visitor Center | 640,000 | 640,000 |
| 42 | Highway Trust Fund Total | \$2,488,300,000 | \$2,546,500,000 |

43

44 **HIGHWAY TRUST FUND AVAILABILITY**

45 **SECTION 3.4.** The Highway Trust Fund availability used in developing the budget
46 for each year of the 2025-2027 fiscal biennial budget is as follows:

47

| 48 | | FY 2025-2026 | FY 2026-2027 |
|----|--------------------------|---------------------|---------------------|
| 49 | Beginning Balance | \$0 | \$0 |

50

51 **Consensus Revenue Forecast**

| | | | |
|----|--|------------------------|------------------------|
| 1 | Highway Use Tax | 1,150,500,000 | 1,179,800,000 |
| 2 | Motor Fuels Tax | 619,500,000 | 627,900,000 |
| 3 | Sales Tax Transfer | 514,400,000 | 530,600,000 |
| 4 | Fees | 172,100,000 | 172,500,000 |
| 5 | Investment Income | 33,000,000 | 37,200,000 |
| 6 | | | |
| 7 | Adjustments to Availability | | |
| 8 | Duplicate Registration Fees | (900,000) | (900,000) |
| 9 | Sales Tax Net of Trade | (300,000) | (600,000) |
| 10 | | | |
| 11 | Total Highway Trust Fund Availability | \$2,488,300,000 | \$2,546,500,000 |

PART IV. OTHER AVAILABILITY AND APPROPRIATIONS

OTHER APPROPRIATIONS

SECTION 4.1.(a) State funds, as defined in G.S. 143C-1-1(d)(25), are appropriated for each year of the 2025-2027 fiscal biennium, as follows:

(1) All budget codes listed in the Governor's Recommended Base Budget for the 2025-2027 fiscal biennium, submitted pursuant to G.S. 143C-3-5, are appropriated up to the amounts specified, as adjusted by the General Assembly in this act and as delineated in the Committee Report described in Section 45.2 of this act, or in another act of the General Assembly.

(2) Agency receipts up to the amounts needed to implement the legislatively mandated salary increases and employee benefit increases provided in this act for each year of the 2025-2027 fiscal biennium.

SECTION 4.1.(b) Receipts collected in a fiscal year in excess of the amounts appropriated by this section shall remain unexpended and unencumbered until appropriated by the General Assembly, unless the expenditure of overrealized receipts in the fiscal year in which the receipts were collected is authorized by G.S. 143C-6-4. Overrealized receipts are appropriated in the amounts necessary to implement this subsection.

SECTION 4.1.(c) Funds may be expended only for the specified programs, purposes, objects, and line items or as otherwise authorized by the General Assembly.

OTHER RECEIPTS FROM PENDING AWARD GRANTS

SECTION 4.2.(a) Notwithstanding G.S. 143C-6-4, State agencies may, with approval of the Director of the Budget, spend funds received from grants awarded after the enactment of this act for grant awards that are for less than two million five hundred thousand dollars (\$2,500,000). State agencies shall report to the Joint Legislative Commission on Governmental Operations, the chairs of the Senate Committee on Appropriations/Base Budget, the chairs of the House Appropriations Committee, and the Fiscal Research Division within 30 days of receipt of such funds.

State agencies may spend up to the greater of one percent (1%) or ten million dollars (\$10,000,000) of the total amount of grants awarded after the enactment of this act to respond to an emergency, as defined in G.S. 166A-19.3, with the approval of the Director of the Budget. State agencies shall report to the Joint Legislative Commission on Governmental Operations, the chairs of the Senate Committee on Appropriations/Base Budget, the chairs of the House Appropriations Committee, and the Fiscal Research Division within 30 days of receipt of such funds, including specifying the total amount of grants awarded to respond to the emergency.

State agencies may spend all other funds from grants awarded after the enactment of this act only with approval of the Director of the Budget and after consultation with the Joint Legislative Commission on Governmental Operations.

SECTION 4.2.(b) The Office of State Budget and Management shall work with the recipient State agencies to budget grant awards according to the annual program needs and within the parameters of the respective granting entities. Depending on the nature of the award, additional State personnel may be employed on a time-limited basis. Funds received from such grants are hereby appropriated up to the applicable amount set forth in subsection (a) of this section and shall be incorporated into the authorized budget of the recipient State agency.

SECTION 4.2.(c) Notwithstanding the provisions of this section, no State agency may accept a grant not anticipated in this act if (i) acceptance of the grant would obligate the State to make future expenditures relating to the program receiving the grant or would otherwise result in a financial obligation as a consequence of accepting the grant funds or (ii) the grant funds will be used for a capital project.

EDUCATION LOTTERY FUNDS

SECTION 4.3.(a) The allocations made from the Education Lottery Fund for the 2025-2027 fiscal biennium are as follows:

| | FY 2025-2026 | FY 2026-2027 |
|--|------------------------|------------------------|
| Noninstructional Support Personnel | \$385,914,455 | \$385,914,455 |
| Prekindergarten Program | 78,252,110 | 78,252,110 |
| Public School Building Capital Fund | 100,000,000 | 100,000,000 |
| Needs-Based Public School Capital Fund | 280,120,000 | 282,680,000 |
| Public School Repair & Renovation | 70,000,000 | 70,000,000 |
| Scholarship Reserve Fund for Public Colleges and Universities | 28,819,733 | 28,819,733 |
| School Transportation | 182,193,702 | 186,033,702 |
| TOTAL ALLOCATION | \$1,125,300,000 | \$1,131,700,000 |

SECTION 4.3.(b) Notwithstanding G.S. 18C-164(b3), the sum of one hundred one million forty thousand dollars (\$101,040,000) in net revenues from the 2024-2025 fiscal year, after appropriation pursuant to G.S. 18C-164(b1) and transfer pursuant to G.S. 18C-164(b2), shall be allocated to and remain available for school transportation for the 2025-2026 fiscal year. Funds remaining after the allocation described in this subsection shall be appropriated to the Needs-Based Public School Capital Fund.

SECTION 4.3.(c) Subsection (b) of this section becomes effective June 30, 2025. The remainder of this section becomes effective July 1, 2025.

INDIAN GAMING EDUCATION REVENUE FUND APPROPRIATIONS

SECTION 4.4. The allocations made from the Indian Gaming Education Revenue Fund for the 2025-2027 fiscal biennium are as follows:

| | FY 2025-2026 | FY 2026-2027 |
|-----------------------------------|---------------------|---------------------|
| Instructional Materials Allotment | \$10,000,000 | \$10,000,000 |
| Classroom Materials Allotment | 25,500,000 | 3,500,000 |
| Total Appropriation | \$35,500,000 | \$13,500,000 |

CIVIL PENALTY AND FORFEITURE FUND

SECTION 4.5. The allocations made from the Civil Penalty and Forfeiture Fund for the 2025-2027 fiscal biennium are as follows:

| | FY 2025-2026 | FY 2026-2027 |
|----------------------------|----------------------|----------------------|
| School Technology Fund | \$18,000,000 | \$18,000,000 |
| Drivers Education | 31,493,768 | 31,493,768 |
| State Public School Fund | 186,041,640 | 166,041,640 |
| Total Appropriation | \$235,535,408 | \$215,535,408 |

ARPA TEMPORARY SAVINGS FUND

SECTION 4.6.(a) General. – Funds appropriated in this act from the ARPA Temporary Savings Fund, established in Section 1.3(a) of S.L. 2023-7, to State agencies and departments shall be used for the purposes described in this act, or in the Committee Report described in Section 45.2 of this act, for the fiscal year in which they are appropriated. Funds appropriated in this act from the ARPA Temporary Savings Fund shall not revert.

SECTION 4.6.(b) Availability of Funds and Timing of Disbursements. – The funds appropriated in this act from the ARPA Temporary Savings Fund shall become available during the course of the 2025-2026 fiscal year as the funds are deposited into that Fund. The Department of Health and Human Services (DHHS) shall not disburse allocations of the funds appropriated in this act from the ARPA Temporary Savings Fund until the funds are available within that Fund. DHHS shall disburse funds on at least a quarterly basis, or more frequently, provided funds are available within the Fund. Funds allocated as described in this act, or in the Committee Report described in Section 45.2 of this act, shall be disbursed as directed under subsection (c) of this section.

SECTION 4.6.(c) Priority of Disbursement of Funds in the 2025-2026 Fiscal Year. – For the 2025-2026 fiscal year, funds appropriated in this act from the ARPA Temporary Savings Fund and allocated as described in this act, or in the Committee Report described in Section 45.2 of this act, shall be disbursed based upon the amount of funds being allocated, least to most.

PART V. GENERAL PROVISIONS**ESTABLISHING OR INCREASING FEES**

SECTION 5.1.(a) Notwithstanding G.S. 12-3.1, an agency is not required to consult with the Joint Legislative Commission on Governmental Operations prior to establishing or increasing a fee to the level authorized or anticipated in this act.

SECTION 5.1.(b) Notwithstanding G.S. 150B-21.1A(a), an agency may adopt an emergency rule in accordance with G.S. 150B-21.1A to establish or increase a fee as authorized by this act if the adoption of a rule would otherwise be required under Article 2A of Chapter 150B of the General Statutes.

DIRECTED GRANTS TO NON-STATE ENTITIES

SECTION 5.2.(a) Definitions. – For purposes of this act and the Committee Report described in Section 45.2 of this act, the following definitions apply:

- (1) Directed grant. – Nonrecurring funds, specifically identified as "directed grants", that are allocated by a State agency to a non-State entity as directed by an act of the General Assembly.
- (2) Non-State entity. – As defined in G.S. 143C-1-1.

SECTION 5.2.(b) Requirements. – Nonrecurring funds appropriated in this act as directed grants are subject to all of the following requirements:

- (1) Directed grants are subject to the provisions of subsections (b) through (k) of G.S. 143C-6-23, with the exception that the deadline for expending, encumbering, or disbursing grant funds established by G.S. 143C-6-23(f1)(1) shall not apply unless the terms of the applicable appropriation specifically state otherwise.
- (2) Directed grants of one hundred thousand dollars (\$100,000) or less may be made in a single annual payment in the discretion of the Director of the Budget. Directed grants of more than one hundred thousand dollars (\$100,000) shall be made in quarterly or monthly payments in the discretion

1 of the Director of the Budget. A State agency administering a directed grant
2 shall begin disbursement of funds to a non-State entity that meets all
3 applicable requirements as soon as practicable, but no later than 100 days after
4 the date this act becomes law. Full disbursement of funds to a non-State entity
5 that meets all applicable requirements shall be completed no later than nine
6 months after the date this act becomes law.

7 (3) Beginning on the first day of a quarter following the deadline provided in
8 subdivision (2) of this subsection and quarterly thereafter, State agencies
9 administering directed grants shall report to the Fiscal Research Division on
10 the status of funds disbursed for each directed grant until all funds are fully
11 disbursed. At a minimum, the report required under this subdivision shall
12 include updates on (i) the date of the initial contact, (ii) the date the contract
13 was sent to the entity receiving the funds, (iii) the date the disbursing agency
14 received the fully executed contract back from the entity, (iv) the contract
15 execution date, and (v) the payment date.

16 (4) Notwithstanding any provision of G.S. 143C-1-2(b) to the contrary,
17 nonrecurring funds appropriated in this act for the 2025-2026 fiscal year as
18 directed grants shall not revert until two years after this act becomes law, and
19 nonrecurring funds appropriated in this act for the 2026-2027 fiscal year as
20 directed grants shall not revert until June 30, 2028.

21 (5) Directed grants to nonprofit organizations are for nonsectarian, nonreligious
22 purposes only.

23 **SECTION 5.2.(c)** This section expires on June 30, 2028.

24 25 **CAP STATE-FUNDED PORTION OF NONPROFIT SALARIES**

26 **SECTION 5.3.** No more than one hundred forty thousand dollars (\$140,000) in State
27 funds, including any interest earnings accruing from those funds, may be used for the annual
28 salary of any individual employee of a nonprofit organization.

29 30 **VACANT POSITION FLEXIBILITY**

31 **SECTION 5.4.** By October 1 of each year of the 2025-2027 fiscal biennium, State
32 agencies with vacant position reductions identified in the Committee Report described in Section
33 45.2 of this act that are not identified by position number shall eliminate vacant positions to
34 achieve the budgeted reduction in each of those years. Each State agency with vacant position
35 reductions shall report to the Fiscal Research Division by December 1 of each year of the
36 2025-2027 fiscal biennium on the actions taken to achieve the budgeted reduction for vacant
37 position eliminations for that fiscal year. The report shall include a list of each position
38 eliminated, identified by position number, title, and the amount of salary and fringe benefits
39 associated with the position.

40 41 **CHILDREN'S HOSPITAL ANTITRUST/STATE ACTION IMMUNITY**

42 **SECTION 5.5.(a)** G.S. 116-350 is amended by adding a new subdivision to read:

43 "(3a) North Carolina Children's Health or NCC. – A pediatric health facility and
44 associated sites that (i) receive State funding and (ii) are developed by the
45 System in partnership with Duke University Health System, Inc."

46 **SECTION 5.5.(b)** Part 1 of Article 37A of Chapter 116 of the General Statutes is
47 amended by adding a new section to read:

48 "**§ 116-350.70. State action.**

49 Subject to the provisions and limitations of this Part and Part 2 of this Article, the Board may
50 enter into cooperative agreements with Duke University Health System, Inc., Duke University,
51 any component of The University of North Carolina, NCC, or any combination thereof for the

1 provision of pediatric research, health care, and discovery, including the development and joint
2 operation of NCC, without regard to the effect on market competition. In partnering with Duke
3 University Health System, Inc., Duke University, The University of North Carolina, NCC, or any
4 combination thereof for these purposes, the System is acting according to State policy by
5 ensuring (i) pediatric health care is made available to all parts of North Carolina and (ii) North
6 Carolina is at the forefront of pediatric research, health care delivery, and innovation. The
7 activities by the System pursuant to this section constitute "State action" for purposes of antitrust
8 law. The General Assembly intends that these agreements are immune from the application of
9 federal and State antitrust law."

10
11 **NO CERTIFICATE OF NEED REQUIRED FOR ACTIVITIES PERTAINING TO**
12 **NORTH CAROLINA CHILDREN'S HEALTH, INC.**

13 **SECTION 5.6.(a)** G.S. 131E-176 is amended by adding a new subdivision to read:

14 "(16a) North Carolina Children's Health, Inc., or NCC. – A pediatric-focused health
15 system that includes a new children's hospital and associated sites developed
16 and constructed on behalf of the State of North Carolina, established in whole
17 or in part by State funds appropriated to the UNC Board of Governors and
18 allocated to UNC Health System pursuant to the Committee Report described
19 in Section 43.2 of S.L. 2023-134."

20 **SECTION 5.6.(b)** Article 9 of Chapter 131E of the General Statutes is amended by
21 adding a new section to read:

22 **"§ 131E-178.1. No certificate of need required for activities pertaining to North Carolina**
23 **Children's Health, Inc.**

24 (a) Notwithstanding G.S. 131E-178(a) or any other provision of this Article, a certificate
25 of need is not required for any of the following activities pertaining to NCC:

- 26 (1) The construction, development, or other establishment of NCC.
- 27 (2) Any capital expenditure by or on behalf of NCC that exceeds the monetary
28 threshold set forth in G.S. 131E-176(16)b.
- 29 (3) The development or offering of clinical patient services at NCC, including any
30 health services specified in G.S. 131E-176(16)f.
- 31 (4) The acquisition, improvement, expansion, replacement, or relocation of any
32 equipment, including diagnostic equipment, major medical equipment,
33 replacement equipment, and any equipment specified in
34 G.S. 131E-176(16)f1., for use at NCC regardless of cost.
- 35 (5) Any change in bed capacity, as defined in G.S. 131E-176(5), at NCC.
- 36 (6) The construction, development, establishment, increase in the number, or
37 relocation of an operating room or gastrointestinal endoscopy room at NCC.

38 (b) Nothing in this section shall be construed to affect the ability or obligation of NCC to
39 comply with existing licensure laws and requirements that are applicable to any facilities or
40 clinical patient services developed or offered at NCC."

41 **SECTION 5.6.(c)** This section is effective when it becomes law.
42

43 **NCINNOVATION**

44 **SECTION 5.7.(a)** Transfer of Funds. – NCInnovation shall transfer back to the State,
45 after consultation with, and in conformity with direction received from, the State Controller, the
46 sum of one hundred million dollars (\$100,000,000). NCInnovation shall, after consultation with,
47 and in conformity with direction received from, the State Controller, transfer to the Board of
48 Governors of The University of North Carolina the sum of four hundred million dollars
49 (\$400,000,000) to be used for North Carolina Children's Health, Inc., as defined in
50 G.S. 131E-176, as amended by this act.

1 **SECTION 5.7.(b)** NCInnovation Reserve. – The State Controller shall facilitate the
2 transfers required by subsection (a) of this section. The State Controller shall deposit the funds
3 returned to the State into the NCInnovation Reserve established in Section 2.2(k) of S.L.
4 2023-134. The transfer and deposit of funds into the reserve pursuant to this section does not
5 constitute an "appropriation made by law," as that phrase is used in Section 7(1) of Article V of
6 the North Carolina Constitution, and such funds shall remain unappropriated unless the General
7 Assembly appropriates the funds in this, or a subsequent, act. In accordance with
8 G.S. 147-69.1(d), funds in the Reserve shall be invested by the Department of the State Treasurer,
9 with earnings and interest therefrom being transferred to and deposited in the General Fund.

10 **SECTION 5.7.(c)** Repeal. – Upon the transfers of funds pursuant to subsection (a)
11 of this section, Article 76A of Chapter 143 of the General Statutes is repealed. The State
12 Controller shall notify the Revisor of Statutes when the transfers have been completed.

13 **SECTION 5.7.(d)** Appropriation. – There is appropriated from the NCInnovation
14 Reserve to the Department of State Treasurer (i) the sum of twenty-five million dollars
15 (\$25,000,000) in nonrecurring funds for the 2025-2026 fiscal year, (ii) the sum of twenty-five
16 million dollars (\$25,000,000) in nonrecurring funds for the 2026-2027 fiscal year, (iii) the sum
17 of twenty-five million dollars (\$25,000,000) in nonrecurring funds for the 2027-2028 fiscal year,
18 and (iv) the sum of twenty-five million dollars (\$25,000,000) in nonrecurring funds for the
19 2028-2029 fiscal year. The State Treasurer shall allocate the funds appropriated in this subsection
20 in the designated fiscal year to NCInnovation, Inc. (NCInnovation), a North Carolina nonprofit
21 corporation under section 501(c)(3) of the Internal Revenue Code, to be used for purposes
22 consistent with this section.

23 **SECTION 5.7.(e)** Findings. – The General Assembly of North Carolina finds North
24 Carolina is competing with other states for the ability to commercialize innovations sourced from
25 the State's world-class university and community college systems. By fully optimizing the
26 commercialization of those innovations, the State has opportunities for creating new jobs and
27 new companies and achieving greater economic prosperity, particularly in rural areas. Other
28 states have successfully harnessed innovation efforts from research universities to create jobs, to
29 accelerate commercial opportunities, and to support the commercial growth and scale of
30 emerging technologies. North Carolina will benefit from similar efforts to accelerate
31 commercialization of theoretical and applied science and inventions stemming from the efforts
32 and activities of its higher education research institutions.

33 **SECTION 5.7.(f)** Purpose; Use. – The purpose of the appropriations made in this
34 section is to promote the economic welfare and growth of the State by facilitating NCInnovation
35 in establishing a network of regional innovation hubs, leveraging the high technology research
36 and development capabilities of the State's higher education research institutions, bridging the
37 gap between such research and development capabilities and the application and
38 commercialization of the same, and supporting such commercialization, application, and
39 resulting emerging technologies. NCInnovation shall use funds appropriated to it for the
40 following purposes:

- 41 (1) To establish and support a regional network of at least four university research
42 hubs, each located in areas of the State where regional collaboration between
43 academic, industrial, and capital formation networks are at or below average
44 in comparison to the rest of the State. NCInnovation shall provide full-time,
45 collocated educational liaisons, business consultants, and technology transfer
46 consultants in each hub to improve relationships and engagement between
47 senior educational and regional industry leaders and among regional networks
48 and to analyze higher education research activities, capacities, and capabilities
49 in light of commercial innovation needs in the hub to align strengths, to fill
50 gaps, to identify gap-filling patent and research and to create a strategic plan

- 1 to guide future investments and identify resources or infrastructure required
2 to implement and apply patents and research into commercialized innovation.
3 (2) To award grants, funds, and other resources, including solicited funds, (i) to
4 higher education research institutions under programs designed to advance
5 research and development to proof of commercial viability and (ii) to
6 otherwise undertake actions designed to accelerate the commercialization of
7 applied research projects to and beyond the point of proof of concept. In
8 distributing awards made pursuant to this subdivision, NCInnovation may use
9 the North Carolina Collaboratory, established under G.S. 116-255.

10 **SECTION 5.7.(g) Duties; Limitations.** – In receiving and using State funds pursuant
11 to this section, NCInnovation shall adhere to all of the following:

- 12 (1) NCInnovation shall protect the use of State funds by requiring, as a condition
13 of awarding funds or providing support, that the recipient, for a minimum of
14 five years, (i) has its headquarters and principal place of business in the State
15 and (ii) be organized under the laws of this State for any commercialization
16 resulting from or furthered by, in whole or part, such funds or support. State
17 funds may not be used to award dilutive grants contingent upon future revenue
18 or equity or ownership interests of any kind.
- 19 (2) To the extent NCInnovation uses State funds for annual salaries and
20 severance, NCInnovation shall limit the use only for personnel located at a
21 regional hub established by NCInnovation. The annual salary for such
22 personnel shall not exceed the amount most recently set by the General
23 Assembly in a Current Operations Appropriations Act.
- 24 (3) NCInnovation shall maintain its status as a North Carolina nonprofit
25 corporation and shall adopt, publish, and maintain policies for conflicts of
26 interest and gifts. In addition, NCInnovation shall report to the Department of
27 the State Treasurer and the Office of the State Auditor on each incidence
28 where a person, including a related member of a person, has made a reported
29 contribution and has received funds or support from NCInnovation.
- 30 (4) NCInnovation shall report on its programs and activities to the Joint
31 Legislative Economic Development and Global Engagement Oversight
32 Committee and the Fiscal Research Division on or before September 15 of
33 each fiscal year and more frequently as requested by any of these entities. The
34 report shall include all of the following:
- 35 a. Expenditures for establishing and supporting a network of regional
36 innovation hubs, including salaries, and awards of grants, funds, or
37 other support by NCInnovation in the prior fiscal year. This
38 information shall include, at a minimum, the recipient, amount, term,
39 and purpose of the award and shall be itemized by program and county.
- 40 b. Outcome data collected by NCInnovation, including the number of
41 jobs created.
- 42 c. Developed performance metrics for recipients of funding and support
43 by NCInnovation.
- 44 (5) NCInnovation shall be subject to oversight from the Office of the State
45 Auditor, which shall include a performance audit of NCInnovation programs
46 not less than every three years. NCInnovation shall submit to the Office of the
47 State Auditor a copy of its audited financial statements within 30 days of
48 receipt of the audit, and the State Auditor may elect to rely upon the submitted
49 audit or conduct its own inquiry or audit of NCInnovation.
- 50 (6) NCInnovation shall maintain separate accounting records for and separate
51 accounts for State funds and shall not commingle State funds with other

1 amounts. NCInnovation shall maintain records and accounts according to
 2 generally accepted accounting principles.

- 3 (7) NCInnovation shall not use State funds (i) to hire a lobbyist, (ii) in excess of
 4 one and one-half percent (1.5%) of the annual amount of State funds received
 5 for overhead and administrative costs, (iii) for costs for alcohol, first-class
 6 airfare, charter flights, or holiday parties or similar social gatherings, or (iv)
 7 for any formal or informal meeting or gathering located outside of the State
 8 unless directly related to NCInnovation's programs or advancing State
 9 interests in innovation commercialization.

10 **SECTION 5.7.(h)** This section is effective when it becomes law.

11
 12 **STATE BUDGET ACT TECHNICAL CHANGES**

13 **SECTION 5.8.(a)** G.S. 143C-1-1 reads as rewritten:

14 **"§ 143C-1-1. Purpose and definitions.**

15 ...

- 16 (d) Definitions. – The following definitions apply in this Chapter:

17 ...

- 18 (20) Object or line item. – An expenditure or receipt in a recommended or enacted
 19 budget that is designated in the Budget Code Structure of the North Carolina
 20 ~~Accounting~~ Financial System Uniform Chart of Accounts prescribed by the
 21 Office of the State Controller.

22 ...

- 23 (23) Purpose or program. – A group of objects or line items for support of a specific
 24 activity for a State agency outlined in a recommended or enacted budget that
 25 is designated by a ~~nine-digit~~ six-digit fund code in accordance with the Budget
 26 Code Structure of the North Carolina ~~Accounting~~ Financial System Uniform
 27 Chart of Accounts prescribed by the Office of the State Controller.

28"

29 **SECTION 5.8.(b)** G.S. 143C-3-5 reads as rewritten:

30 **"§ 143C-3-5. Budget recommendations and budget message.**

31 ...

- 32 (b) Odd-Numbered Years. – In odd-numbered years the budget recommendations shall
 33 include the following components:

34 ...

- 35 (2) A Recommended Base Budget showing, for each budget code and purpose or
 36 program in State government, accounting detail corresponding to the
 37 Recommended State Budget.

- 38 a. The Recommended Base Budget shall employ the North Carolina
 39 ~~Aeeounting~~ Financial System Uniform Chart of Accounts adopted by
 40 the State Controller to show both uses and sources of funds and shall
 41 display in separate parallel columns all of the following: (i) actual
 42 expenditures and receipts for the most recent fiscal year for which
 43 actual information is available, (ii) the certified budget for the
 44 preceding fiscal year, (iii) the currently authorized budget for the
 45 preceding fiscal year, (iv) program base budget requirements for each
 46 fiscal year of the biennium, (v) proposed expenditures and receipts for
 47 each fiscal year of the biennium, and (vi) proposed increases and
 48 decreases.

49 ...

- 50 (7) The Governor's Recommended State Budget shall include a transfer to the
 51 State Capital and Infrastructure Fund ~~of four percent (4%) of the estimated net~~

1 State tax revenues that are deposited in the General Fund for each fiscal year
2 of the upcoming biennium in accordance with G.S. 143C-4-3.1(b)(1).

3"

4 **SECTION 5.8.(c)** G.S. 143C-6-11 reads as rewritten:

5 "Part 2. Highway Appropriations.

6 **"§ 143C-6-11. Highway appropriation.**

7 ...

8 (l) It is the intent of the General Assembly to (i) prevent the inclusion of duplicative fund
9 codes in the Highway Fund certified budget and (ii) correctly align authorized positions and
10 associated operating costs with the appropriate purposes and definitions as defined in
11 G.S. 143C-1-1. To that end, the Office of State Budget and Management, in consultation with
12 the Department of Transportation, the Office of the State Controller, and the Fiscal Research
13 Division of the General Assembly, shall include, as an appendix to the Highway Fund certified
14 budget, object detail using the North Carolina ~~Accounting~~ Financial System Uniform Chart of
15 Accounts prescribed by the Office of the State Controller to provide a more detailed accounting
16 of the proposed budgets and receipts and actual expenditures and revenue collections. This
17 requirement includes applying object detail at the four-digit level for all accounts to full-time and
18 part-time positions, to operating expenditures and receipts, and to intrafund transfers.
19 Additionally, work order positions shall be budgeted within existing fund codes.

20"

21 **SECTION 5.8.(d)** G.S. 143C-6-13 is repealed.

22 **LAND USE CLARIFICATIONS AND CHANGES**

23 **SCHOOLS PERMITTED USE IN COMMERCIAL ZONES**

24 **SECTION 5.9.** Part 1 of Article 9 of Chapter 160D of the General Statutes is
25 amended by adding a new section to read:

26 **"§ 160D-917. Public school sites in commercial zones.**

27 In areas zoned for commercial use, zoning regulations shall permit, by right or by special use,
28 the siting of a school building that is primarily used for the instruction of students and is under
29 the control of a public school unit as defined in G.S. 115C-5."
30
31
32

33 **CLARIFY EXISTING USE RIGHTS ON PROPERTY**

34 **SECTION 5.10.(a)** G.S. 160D-108 reads as rewritten:

35 **"§ 160D-108. Permit choice and vested rights.**

36 ...

37 (c) Vested Rights. – Amendments in land development regulations are not applicable or
38 enforceable without the written consent of the owner with regard to any of the following:

- 39 (1) Buildings or uses of buildings or land for which a development permit
40 application has been submitted and subsequently issued in accordance with
41 G.S. 143-755.
- 42 (2) Subdivisions of land for which a development permit application authorizing
43 the subdivision has been submitted and subsequently issued in accordance
44 with G.S. 143-755.
- 45 (3) A site-specific vesting plan pursuant to G.S. 160D-108.1.
- 46 (4) A multi-phased development pursuant to subsection (f) of this section.
- 47 (5) A vested right established by the terms of a development agreement
48 authorized by Article 10 of this Chapter.

49 The establishment of a vested right under any subdivision of this subsection does not preclude
50 vesting under one or more other subdivisions of this subsection or vesting by application of
51 common law principles. A vested right, once established as provided for in this section or by

1 common law, precludes any action by a local government that would change, alter, impair,
 2 prevent, diminish, or otherwise delay the development or use of the property allowed by the
 3 applicable land development regulation or regulations, except where a change in State or federal
 4 law mandating local government enforcement occurs after the development application is
 5 submitted that has a fundamental and retroactive effect on the development or use. A vested right
 6 obtained by permit or other local government approval shall not preclude the use or extinguish
 7 the existence of any other vested right or use by right attached to the property.

8"

9 **SECTION 5.10.(b)** G.S. 160D-705 reads as rewritten:

10 "**§ 160D-705. Quasi-judicial zoning decisions.**

11 ...

12 (c) Special Use Permits. – The regulations may provide that the board of adjustment,
 13 planning board, or governing board hear and decide special use permits in accordance with
 14 principles, conditions, safeguards, and procedures specified in the regulations. Reasonable and
 15 appropriate conditions and safeguards may be imposed upon these permits. Where appropriate,
 16 such conditions may include requirements that street and utility rights-of-way be dedicated to the
 17 public and that provision be made for recreational space and facilities. Conditions and safeguards
 18 imposed under this subsection shall not include requirements for which the local government
 19 does not have authority under statute to regulate nor requirements for which the courts have held
 20 to be unenforceable if imposed directly by the local government, including, without limitation,
 21 taxes, impact fees, building design elements within the scope of G.S. 160D-702(b),
 22 driveway-related improvements in excess of those allowed in G.S. 136-18(29) and
 23 G.S. 160A-307, or other unauthorized limitations on the development or use of land.

24 The regulations may provide that defined minor modifications to special use permits that do
 25 not involve a change in uses permitted or the density of overall development permitted may be
 26 reviewed and approved administratively. Any other modification or revocation of a special use
 27 permit shall follow the same process for approval as is applicable to the approval of a special use
 28 permit. If multiple parcels of land are subject to a special use permit, the owners of individual
 29 parcels may apply for permit modification so long as the modification would not result in other
 30 properties failing to meet the terms of the special use permit or regulations. Any modifications
 31 approved apply only to those properties whose owners apply for the modification. The regulation
 32 may require that special use permits be recorded with the register of deeds. If a special use permit
 33 expires and does not vest, the current zoning classification or regulation for the property applies.

34"

35 **SECTION 5.10.(c)** G.S. 160D-203 reads as rewritten:

36 "**§ 160D-203. Split jurisdiction.**

37 (a) If a parcel of land lies within the planning and development regulation jurisdiction of
 38 more than one local government, for the purposes of this Chapter, the local governments may,
 39 by mutual agreement pursuant to Article 20 of Chapter 160A of the General Statutes and with
 40 the written consent of the landowner, assign exclusive planning and development regulation
 41 jurisdiction under this Chapter for the ~~entire parcel land~~, including all development phases on the
 42 land, to any one of those local governments.

43 (b) In the event no mutual agreement or written consent under subsection (a) of this
 44 section exists, the landowner of land lying within the planning and development regulation
 45 jurisdiction of more than one local government may elect the planning and development
 46 regulations of the local government where the majority of the total acreage of the parcel of land
 47 is situated.

48 (c) ~~Such a mutual agreement~~ This section shall only be applicable to planning and
 49 development regulations and shall not affect taxation or other nonregulatory matters. The mutual
 50 agreement under subsection (a) of this section shall be evidenced by a resolution formally

1 adopted by each governing board and recorded with the register of deeds in ~~the every~~ county
2 where the ~~property land~~ is located within 14 days of the adoption of the last required resolution.

3 (d) For the purposes of this section, "landowner" means all titleholders of record owning
4 an interest in the land."

5 **SECTION 5.10.(d)** This section is effective when it becomes law.
6

7 **REMOVE EXTRATERRITORIAL JURISDICTION AUTHORITY**

8 **SECTION 5.11.(a)** G.S. 160D-201 reads as rewritten:

9 **"§ 160D-201. Planning and development regulation jurisdiction.**

10 (a) Cities. – All of the powers granted by this Chapter may be exercised by any city within
11 its corporate limits ~~and within any extraterritorial area established pursuant to~~
12 ~~G.S. 160D-202:limits.~~

13"

14 **SECTION 5.11.(b)** G.S. 160D-202 reads as rewritten:

15 **"§ 160D-202. Municipal extraterritorial Transfer or relinquishment of jurisdiction.**

16 (a) ~~Geographic Scope.—Any city may exercise the powers granted to cities under this~~
17 ~~Chapter within a defined area extending not more than one mile beyond its contiguous corporate~~
18 ~~limits. In addition, a city of 10,000 or more population but less than 25,000 may exercise these~~
19 ~~powers over an area extending not more than two miles beyond its limits and a city of 25,000 or~~
20 ~~more population may exercise these powers over an area extending not more than three miles~~
21 ~~beyond its limits. In determining the population of a city for the purposes of this Chapter, the city~~
22 ~~council and the board of county commissioners may use the most recent annual estimate of~~
23 ~~population as certified by the Secretary of the North Carolina Department of Administration.~~
24 ~~Pursuant to G.S. 160A-58.4, extraterritorial municipal planning and development regulation may~~
25 ~~be extended only from the primary corporate boundary of a city and not from the boundary of~~
26 ~~satellite areas of the city.~~

27 (b) ~~Authority in the Extraterritorial Area.—A city may not exercise any power conferred~~
28 ~~by this Chapter in its extraterritorial jurisdiction that it is not exercising within its corporate limits.~~
29 ~~A city may exercise in its extraterritorial area all powers conferred by this Chapter that it is~~
30 ~~exercising within its corporate limits. If a city fails to extend a particular type of development~~
31 ~~regulation to the extraterritorial area, the county may elect to exercise that particular type of~~
32 ~~regulation in the extraterritorial area.~~

33 (c) ~~County Approval of City Jurisdiction.—Notwithstanding subsection (a) of this~~
34 ~~section, no city may extend its extraterritorial powers into any area for which the county has~~
35 ~~adopted and is enforcing county zoning and subdivision regulations. However, the city may do~~
36 ~~so where the county is not exercising both of these powers, or when the city and the county have~~
37 ~~agreed upon the area within which each will exercise the powers conferred by this Chapter. No~~
38 ~~city may extend its extraterritorial powers beyond one mile from its corporate limits without the~~
39 ~~approval of the board or boards of county commissioners with jurisdiction over the area.~~

40 (d) ~~Notice of Proposed Jurisdiction Change.—Any municipality proposing to exercise~~
41 ~~extraterritorial jurisdiction under this Chapter shall notify the owners of all parcels of land~~
42 ~~proposed for addition to the area of extraterritorial jurisdiction, as shown on the county tax~~
43 ~~records. The notice shall be sent by first class mail to the last addresses listed for affected~~
44 ~~property owners in the county tax records. The notice shall inform the landowner of the effect of~~
45 ~~the extension of extraterritorial jurisdiction, of the landowner's right to participate in a legislative~~
46 ~~hearing prior to adoption of any ordinance extending the area of extraterritorial jurisdiction, as~~
47 ~~provided in G.S. 160D-601, and of the right of all residents of the area to apply to the board of~~
48 ~~county commissioners to serve as a representative on the planning board and the board of~~
49 ~~adjustment, as provided in G.S. 160D-303. The notice shall be mailed at least 30 days prior to~~
50 ~~the date of the hearing. The person or persons mailing the notices shall certify to the city council~~

1 that the notices were sent by first class mail, and the certificate shall be deemed conclusive in the
2 absence of fraud.

3 ~~(e) Boundaries.—Any council exercising extraterritorial jurisdiction under this Chapter~~
4 ~~shall adopt an ordinance specifying the areas to be included based upon existing or projected~~
5 ~~urban development and areas of critical concern to the city, as evidenced by officially adopted~~
6 ~~plans for its development. A single jurisdictional boundary shall be applicable for all powers~~
7 ~~conferred in this Chapter. Boundaries shall be defined, to the extent feasible, in terms of~~
8 ~~geographical features identifiable on the ground. Boundaries may follow parcel ownership~~
9 ~~boundaries. A council may, in its discretion, exclude from its extraterritorial jurisdiction areas~~
10 ~~lying in another county, areas separated from the city by barriers to urban growth, or areas whose~~
11 ~~projected development will have minimal impact on the city. The boundaries specified in the~~
12 ~~ordinance shall at all times be drawn on a map, set forth in a written description, or shown by a~~
13 ~~combination of these techniques. This delineation shall be maintained in the manner provided in~~
14 ~~G.S. 160A-22 for the delineation of the corporate limits and shall be recorded in the office of the~~
15 ~~register of deeds of each county in which any portion of the area lies.~~

16 ~~Where the extraterritorial jurisdiction of two or more cities overlaps, the jurisdictional~~
17 ~~boundary between them shall be a line connecting the midway points of the overlapping area~~
18 ~~unless the city councils agree to another boundary line within the overlapping area based upon~~
19 ~~existing or projected patterns of development.~~

20 ~~(f) County Authority Within City Jurisdiction. – The county may, on request of the city~~
21 ~~council, exercise any or all of these the powers granted in this Chapter in any or all areas lying~~
22 ~~within the city's corporate limits or within the city's specified area of extraterritorial~~
23 ~~jurisdiction limits.~~

24 ~~(g) Transfer of Jurisdiction. – When a city annexes, annexes or a new city is incorporated~~
25 ~~in, or a city extends its jurisdiction to include, in an area that is currently being regulated by the~~
26 ~~county, the county development regulations and powers of enforcement shall remain in effect~~
27 ~~until (i) the city has adopted such development regulations or (ii) a period of 60 days has elapsed~~
28 ~~following the annexation, extension, annexation or incorporation, whichever is sooner. Prior to~~
29 ~~the transfer of jurisdiction, the city may hold hearings and take any other measures consistent~~
30 ~~with G.S. 160D-204 that may be required in order to adopt and apply its development regulations~~
31 ~~for the area at the same time it assumes jurisdiction.~~

32 ~~(h) Relinquishment of Jurisdiction. – When a city relinquishes jurisdiction over an area~~
33 ~~that it is regulating under this Chapter to a county, the city development regulations and powers~~
34 ~~of enforcement shall remain in effect until (i) the county has adopted such development~~
35 ~~regulation or (ii) a period of 60 days has elapsed following the action by which the city~~
36 ~~relinquished jurisdiction, whichever is sooner. Prior to the transfer of jurisdiction, the county~~
37 ~~may hold hearings and take other measures consistent with G.S. 160D-204 that may be required~~
38 ~~in order to adopt and apply its development regulations for the area at the same time it assumes~~
39 ~~jurisdiction.~~

40 ~~(i) Process for Local Government Approval. – When a local government is granted~~
41 ~~powers by this section subject to the request, approval, or agreement of another local government,~~
42 ~~the request, approval, or agreement shall be evidenced by a formally adopted resolution of the~~
43 ~~governing board of the local government. Any such request, approval, or agreement can be~~
44 ~~rescinded upon two years' written notice to the other governing boards concerned by repealing~~
45 ~~the resolution. The resolution may be modified at any time by mutual agreement of the governing~~
46 ~~boards concerned.~~

47 ~~(j) Local Acts.—Nothing in this section shall repeal, modify, or amend any local act that~~
48 ~~defines the boundaries of a city's extraterritorial jurisdiction by metes and bounds or courses and~~
49 ~~distances.~~

50 ~~(k) Effect on Vested Rights. – Whenever a city or county, pursuant to this section,~~
51 ~~acquires jurisdiction over a territory that theretofore has been subject to the jurisdiction of another~~

1 local government, any person who has acquired vested rights in the surrendering jurisdiction may
2 exercise those rights as if no change of jurisdiction had occurred. The city or county acquiring
3 jurisdiction may take any action regarding such a development approval, certificate, or other
4 evidence of compliance that could have been taken by the local government surrendering
5 jurisdiction pursuant to its development regulations. Except as provided in this subsection, any
6 building, structure, or other land use in a territory over which a city or county has acquired
7 jurisdiction is subject to the development regulations of the city or county."

8 **SECTION 5.11.(c)** G.S. 160D-307 is repealed.

9 **SECTION 5.11.(d)** G.S. 160D-602 reads as rewritten:

10 **"§ 160D-602. Notice of hearing on proposed zoning map amendments.**

11 (a) Mailed Notice. – Subject to the limitations of this Chapter, an ordinance shall provide
12 for the manner in which zoning regulations and the boundaries of zoning districts are to be
13 determined, established, and enforced, and from time to time amended, supplemented, or
14 changed, in accordance with the provisions of this Chapter. The owners of affected parcels of
15 land and the owners of all parcels of land abutting that parcel of land shall be mailed a notice of
16 the hearing on a proposed zoning map amendment by first-class mail at the last addresses listed
17 for such owners on the county tax abstracts. For the purpose of this section, properties are
18 "abutting" even if separated by a street, railroad, or other transportation corridor. This notice must
19 be deposited in the mail at least 10 but not more than 25 days prior to the date of the hearing. ~~If~~
20 ~~the zoning map amendment is being proposed in conjunction with an expansion of municipal~~
21 ~~extraterritorial planning and development regulation jurisdiction under G.S. 160D-202, a single~~
22 ~~hearing on the zoning map amendment and the boundary amendment may be held. In this~~
23 ~~instance, the initial notice of the zoning map amendment hearing may be combined with the~~
24 ~~boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the~~
25 ~~hearing.~~

26"

27 **SECTION 5.11.(e)** G.S. 160D-903(c) is repealed.

28 **SECTION 5.11.(f)** G.S. 160D-912 reads as rewritten:

29 **"§ 160D-912. Outdoor advertising.**

30 ...

31 (m) This section does not apply to any ordinance in effect on July 1, 2004. A local
32 government may amend an ordinance in effect on July 1, 2004, to extend application of the
33 ordinance to off-premises outdoor advertising located in territory acquired by ~~annexation or~~
34 ~~located in the extraterritorial jurisdiction of the city.~~ annexation. A local government may repeal
35 or amend an ordinance in effect on July 1, 2004, so long as the amendment to the existing
36 ordinance does not reduce the period of amortization in effect on June 19, 2020.

37"

38 **SECTION 5.11.(g)** G.S. 160D-925(e) is repealed.

39 **SECTION 5.11.(h)** G.S. 160D-1102(a) reads as rewritten:

40 "(a) A local government may create an inspection department and may appoint inspectors
41 who may be given appropriate titles, such as building inspector, electrical inspector, plumbing
42 inspector, housing inspector, zoning inspector, heating and air-conditioning inspector, fire
43 prevention inspector, or deputy or assistant inspector, or another title generally descriptive of the
44 duties assigned. Every local government shall perform the duties and responsibilities set forth in
45 G.S. 160D-1104 either by (i) creating its own inspection department, (ii) creating a joint
46 inspection department in cooperation with one or more other units of local government, pursuant
47 to Part 1 of Article 20 of Chapter 160A of the General Statutes, (iii) contracting with another unit
48 of local government for the provision of inspection services pursuant to Part 1 of Article 20 of
49 Chapter 160A of the General Statutes, or (iv) arranging for the county in which a city is located
50 to perform inspection services within the city's jurisdiction as authorized by ~~G.S. 160D-1104 and~~
51 ~~G.S. 160D-202.~~ G.S. 160D-1104. Every local government shall designate a person responsible

1 for the daily oversight of the local government's duties and responsibilities under
2 G.S. 160D-1104."

3 **SECTION 5.11.(i)** G.S. 160D-1125(c) reads as rewritten:

4 "(c) Additional Lien. – The amounts incurred by a local government in connection with
5 the removal or demolition are also a lien against any other real property owned by the owner of
6 the building or structure and located within the local government's planning and development
7 regulation ~~jurisdiction, and for cities without extraterritorial planning and development~~
8 ~~jurisdiction, within one mile of the city limits, jurisdiction,~~ except for the owner's primary
9 residence. The provisions of subsection (b) of this section apply to this additional lien, except
10 that this additional lien is inferior to all prior liens and shall be collected as a money judgment."

11 **SECTION 5.11.(j)** G.S. 113A-208(d) reads as rewritten:

12 "(d) An ordinance adopted under the authority of this section applies to all protected
13 mountain ridges as defined in G.S. 113A-206. A county or city may apply the ordinance to other
14 mountain ridges within its jurisdiction if it finds that this application is reasonably necessary to
15 protect against some or all of the hazards or problems set forth in G.S. 113A-207. ~~Additionally,~~
16 ~~a city with a population of 50,000 or more may apply the ordinance to other mountain ridges~~
17 ~~within its extraterritorial planning jurisdiction if it finds that this application is reasonably~~
18 ~~necessary to protect against some or all of the hazards or problems set forth in G.S. 113A-207."~~

19 **SECTION 5.11.(k)** G.S. 130A-317(d) reads as rewritten:

20 "(d) Municipalities, counties, local boards or commissions, water and sewer authorities,
21 or groups of municipalities and counties may establish and administer within their utility service
22 areas their own approval program in lieu of State approval of water system plans required in
23 subsection (c) of this section for construction or alteration of the distribution system of a proposed
24 or existing public water system, subject to the prior certification of the Department. For purposes
25 of this subsection, the service area of a municipality shall include only that area within the
26 corporate limits of the municipality and that area outside a municipality in its extraterritorial
27 jurisdiction where water service is already being provided to the permit applicant by the
28 municipality or connection to the municipal water system is immediately available to the
29 applicant; the service areas of counties and the other entities or groups shall include only those
30 areas where water service is already being provided to the applicant by the permitting authority
31 or connection to the permitting authority's system is immediately available. For purposes of this
32 subsection, the term "extraterritorial jurisdiction" means the boundaries of the area over which a
33 municipality was exercising extraterritorial planning jurisdiction under Article 19 of Chapter
34 160A of the General Statutes, or its successor Chapter 160D of the General Statutes, prior to the
35 municipality's relinquishment of extraterritorial planning jurisdiction over the area in accordance
36 with the law. No later than the 180th day after the receipt of an approval program and statement
37 submitted by any local government, commission, authority, or board, the Department shall certify
38 any local program that meets all of the following conditions:

39"

40 **SECTION 5.11.(l)** G.S. 136-55.1(b) reads as rewritten:

41 "(b) ~~In keeping with its overall zoning scheme and long-range plans regarding the~~
42 ~~extraterritorial jurisdiction area, a A municipality may keep open and assume responsibility for~~
43 maintenance of a road within one mile of its corporate limits once it is abandoned from the State
44 highway system."

45 **SECTION 5.11.(m)** G.S. 136-63(b) reads as rewritten:

46 "(b) ~~In keeping with its overall zoning scheme and long-range plans regarding the~~
47 ~~extraterritorial jurisdiction area, a A municipality may keep open and assume responsibility for~~
48 maintenance of a road within one mile of its corporate limits once it is abandoned from the State
49 highway system."

50 **SECTION 5.11.(n)** G.S. 136-66.3(a) reads as rewritten:

1 "(a) Municipal Participation Authorized. – A municipality may, but is not required to,
2 participate in the right-of-way and construction cost of a State transportation improvement
3 approved by the Board of Transportation under G.S. 143B-350(f)(4) that is located in the
4 ~~municipality or its extraterritorial jurisdiction.~~ municipality."

5 **SECTION 5.11.(o)** G.S. 143-138(e) reads as rewritten:

6 "(e) Effect upon Local Codes. – Except as otherwise provided in this section, the North
7 Carolina State Building Code shall apply throughout the State, from the time of its adoption.
8 Approved rules shall become effective in accordance with G.S. 150B-21.3. However, any
9 political subdivision of the State may adopt a fire prevention code and floodplain management
10 regulations within its jurisdiction. Provided a political subdivision shall not adopt local fire
11 prevention code provisions which apply to dwellings subject to the North Carolina Residential
12 Code which are not prescriptively required by the North Carolina Residential Code. The
13 territorial jurisdiction of any municipality or county for this purpose, unless otherwise specified
14 by the General Assembly, shall be as follows: Municipal jurisdiction shall include all areas within
15 the corporate limits of the ~~municipality and extraterritorial jurisdiction areas established as~~
16 ~~provided in G.S. 160D-202 or a local act;~~ municipality; county jurisdiction shall include all other
17 areas of the county. No such code or regulations, other than floodplain management regulations
18 and those permitted by G.S. 160D-1128, shall be effective until they have been officially
19 approved by the responsible Code Council as providing adequate minimum standards to preserve
20 and protect health and safety, in accordance with the provisions of subsection (c) above. Local
21 floodplain regulations may regulate all types and uses of buildings or structures located in flood
22 hazard areas identified by local, State, and federal agencies, and include provisions governing
23 substantial improvements, substantial damage, cumulative substantial improvements, lowest
24 floor elevation, protection of mechanical and electrical systems, foundation construction,
25 anchorage, acceptable flood resistant materials, and other measures the political subdivision
26 deems necessary considering the characteristics of its flood hazards and vulnerability. In the
27 absence of approval by the Building Code Council or Residential Code Council, or in the event
28 that approval is withdrawn, local fire prevention codes and regulations shall have no force and
29 effect. Provided any local regulations approved by the local governing body which are found by
30 the Council to be more stringent than the adopted statewide fire prevention code and which are
31 found to regulate only activities and conditions in buildings, structures, and premises that pose
32 dangers of fire, explosion or related hazards, and are not matters in conflict with the Code, may
33 be approved. Local governments may enforce the fire prevention code of the Code using civil
34 remedies authorized under G.S. 143-139, 153A-123, and 160A-175. If the State Fire Marshal or
35 other State official with responsibility for enforcement of the Code institutes a civil action
36 pursuant to G.S. 143-139, a local government may not institute a civil action under G.S. 143-139,
37 153A-123, or 160A-175 based upon the same violation. Appeals from the assessment or
38 imposition of such civil remedies shall be as provided in G.S. 160D-1127.

39 A local government may not adopt any ordinance In conflict with the exemption provided by
40 subsection (c1) of this section. No local ordinance or regulation shall be construed to limit the
41 exemption provided by subsection (c1) of this section."

42 **SECTION 5.11.(p)** G.S. 143-215.1(f) reads as rewritten:

43 "(f) Local Permit Programs for Sewer Extension and Reclaimed Water Utilization. –
44 Municipalities, counties, local boards or commissions, water and sewer authorities, or groups of
45 municipalities and counties may establish and administer within their utility service areas their
46 own general permit programs in lieu of State permit required in G.S. 143-215.1(a)(2), (3), and
47 (8) above, for construction, operation, alteration, extension, change of proposed or existing sewer
48 system, subject to the prior certification of the Commission. For purposes of this subsection, the
49 service area of a municipality shall include only that area within the corporate limits of the
50 municipality and that area outside a municipality in its extraterritorial jurisdiction where sewer
51 service or a reclaimed water utilization system is already being provided by the municipality to

1 the permit applicant or connection to the municipal sewer system or a reclaimed water utilization
2 system is immediately available to the applicant; the service areas of counties and the other
3 entities or groups shall include only those areas where sewer service or a reclaimed water
4 utilization system is already being provided to the applicant by the permitting authority or
5 connection to the permitting authority's system is immediately available. For purposes of this
6 subsection, the term "extraterritorial jurisdiction" means the boundaries of the area over which a
7 municipality was exercising extraterritorial planning jurisdiction under Article 19 of Chapter
8 160A of the General Statutes, or its successor Chapter 160D of the General Statutes, prior to the
9 municipality's relinquishment of extraterritorial planning jurisdiction over the area in accordance
10 with the law. No later than the 180th day after the receipt of a program and statement submitted
11 by any local government, commission, authority, or board the Commission shall certify any local
12 program that does all of the following:

13"

14 **SECTION 5.11.(q)** G.S. 153A-317.14(a)(6) is repealed.

15 **SECTION 5.11.(r)** G.S. 160A-58.4 reads as rewritten:

16 **"§ 160A-58.4. Extraterritorial powers.**

17 Satellite corporate limits shall not be considered a part of the city's corporate limits for the
18 purposes of ~~extraterritorial land use regulation pursuant to G.S. 160D-202~~ or abatement of public
19 health nuisances pursuant to G.S. 160A-193. However, a city's power to regulate land use
20 pursuant to Chapter 160D of the General Statutes or to abate public health nuisances pursuant to
21 G.S. 160A-193, shall be the same within satellite corporate limits as within its primary corporate
22 limits."

23 **SECTION 5.11.(s)** G.S. 160A-176.1(a) reads as rewritten:

24 "(a) A city may adopt ordinances to regulate and control swimming, surfing and littering
25 in the Atlantic Ocean adjacent to that portion of the city within its ~~boundaries or within its~~
26 ~~extraterritorial jurisdiction; boundaries;~~ provided, however, nothing contained herein shall be
27 construed to permit any city to prohibit altogether swimming and surfing or to make these
28 activities unlawful."

29 **SECTION 5.11.(t)** G.S. 160A-176.2(a) reads as rewritten:

30 "(a) A city may adopt ordinances to regulate and control swimming, personal watercraft
31 operation, surfing and littering in the Atlantic Ocean and other waterways adjacent to that portion
32 of the city within its ~~boundaries or within its extraterritorial jurisdiction; boundaries;~~ provided,
33 however, nothing contained herein shall be construed to permit any city to prohibit altogether
34 swimming or surfing or to make these activities unlawful."

35 **SECTION 5.11.(u)** G.S. 160A-296(a1) is repealed.

36 **SECTION 5.11.(v)** G.S. 160A-299(d) reads as rewritten:

37 "(d) This section shall apply to any street or public alley within a city ~~or its extraterritorial~~
38 ~~jurisdiction~~ that has been irrevocably dedicated to the public, without regard to whether it has
39 actually been opened. This section also applies to unopened streets or public alleys that are shown
40 on plats but that have not been accepted or maintained by the city, provided that this section shall
41 not abrogate the rights of a dedicator, or those claiming under a dedicator, pursuant to
42 G.S. 136-96."

43 **SECTION 5.11.(w)** Any provision in a local act that grants a city the power to
44 exercise extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the General
45 Statutes, or its successor Chapter 160D of the General Statutes, is hereby repealed.

46 **SECTION 5.11.(x)** Subsections (a) through (x) of this section apply only to
47 extraterritorial jurisdiction territory of a city located within the following counties and effective
48 as stated:

- 49 (1) For counties with a population of 25,000 or less according to the last federal
50 decennial census, October 1, 2026.

- 1 (2) For counties with a population between 25,001 and 75,000 according to the
2 last federal decennial census, October 1, 2027.

3 **SECTION 5.11.(y)** No city may expand its extraterritorial jurisdiction beyond the
4 territory that the city was exercising extraterritorial jurisdiction authority upon as of June 1, 2025.

5 **SECTION 5.11.(z)** Cities continuing to exercise extraterritorial jurisdiction
6 authority shall continue to appoint representation on boards in accordance with G.S. 160D-307.

7 **SECTION 5.11.(aa)** The relinquishment of jurisdiction over an area that a city is
8 regulating under the authority of extraterritorial planning jurisdiction under Article 19 of Chapter
9 160A of the General Statutes, or its successor Chapter 160D of the General Statutes, shall be
10 determined by the county in which the area lies, not the city which has been exercising
11 extraterritorial jurisdiction over the area, and becomes effective as follows:

- 12 (1) For counties with a population of 25,000 or less according to the last federal
13 decennial census, October 1, 2026.

- 14 (2) For counties with a population between 25,001 and 75,000 according to the
15 last federal decennial census, October 1, 2027.

16 **SECTION 5.11.(bb)** Nothing in this section shall be construed as prohibiting a city
17 from relinquishing jurisdiction over an area prior to the effective date set forth in subsection (aa)
18 of this section so long as the city complies with the provisions of Article 19 of Chapter 160A of
19 the General Statutes, or its successor Chapter 160D of the General Statutes.

20 **SECTION 5.11.(cc)** Upon relinquishment of jurisdiction over an area that a city is
21 regulating under the authority of extraterritorial planning jurisdiction under Article 19 of Chapter
22 160A of the General Statutes, or its successor Chapter 160D of the General Statutes:

- 23 (1) The city regulations and powers of enforcement shall remain in effect until
24 the earlier of the effective date of the land use regulations adopted by the
25 county with jurisdiction over the area or 60 days after the effective date set
26 forth in subsection (aa) of this section for that county. If the sixtieth day falls
27 on a holiday or weekend, the next business day shall be treated as the sixtieth
28 day. The county may hold hearings and take other measures that may be
29 required in order to adopt county regulations for the area prior to the effective
30 date set forth in subsection (aa) of this section for that county.

- 31 (2) Any person who has acquired vested rights under a permit, certificate, or other
32 evidence of compliance issued by the city may exercise those rights as if no
33 change of jurisdiction had occurred. The county acquiring jurisdiction may
34 take any action regarding the permit, certificate, or other evidence of
35 compliance that could have been taken by the city surrendering jurisdiction
36 pursuant to the city ordinances and regulations. Except as provided in this
37 section, any building, structure, or other land use in a territory over which a
38 county has acquired jurisdiction is subject to the ordinances and regulations
39 of the county. At least 180 days prior to the effective date set forth in
40 subsection (aa) of this section for the county in which any portion of a city
41 lies, the city shall notify the county of the following:

- 42 a. The boundaries of the city's extraterritorial jurisdiction in that county.
43 b. The existing land use regulations applying to that extraterritorial
44 jurisdiction in that county, including zoning and overlay maps.
45 c. Any pending requests for amendments or other changes to the existing
46 land use regulations applying to that extraterritorial jurisdiction in that
47 county.
48 d. Any vested rights with respect to properties in the extraterritorial
49 jurisdiction in that county.

50 **SECTION 5.11.(dd)** Sections 5.10 and 5.11 of this act shall have no effect on the
51 extraterritorial jurisdiction of law enforcement officers as authorized in any of the following:

- 1 (1) Chapter 77 of the General Statutes.
- 2 (2) G.S. 15A-402.
- 3 (3) G.S. 20-38.2.
- 4 (4) G.S. 160A-286.
- 5 (5) Any local act or provision of general law.

6 **SECTION 5.11.(ee)** Except as otherwise provided, Sections 5.9 through 5.11 of this
7 act are effective when they become law.

9 **INCREASE PENALTY FOR PARTICIPATING IN PYRAMID DISTRIBUTION PLAN**

10 **SECTION 5.12.(a)** G.S. 14-291.2(a) reads as rewritten:

11 "(a) No person shall establish, operate, participate in, or otherwise promote any pyramid
12 distribution plan, program, device or scheme ~~whereby~~ by which a participant pays a valuable
13 consideration for the opportunity or chance to receive a fee or compensation upon the
14 introduction of other participants into the program, whether or not ~~such~~ the opportunity or chance
15 is received in conjunction with the purchase of merchandise. A person ~~who~~ that establishes or
16 operates a pyramid distribution plan is guilty of a Class H felony. A person ~~who~~ that participates
17 in or otherwise promotes a pyramid distribution plan is deemed to participate in a lottery and is
18 guilty of a ~~Class 2 misdemeanor~~ Class 1 misdemeanor."

19 **SECTION 5.12.(b)** This section becomes effective December 1, 2025, and applies
20 to offenses committed on or after that date.

21 **REPEAL OBSOLETE ARTICLE**

22 **SECTION 5.13.** Article 15A of Chapter 15 of the General Statutes is repealed.

23 **REPEAL DUPLICATIVE STATUTE**

24 **SECTION 5.14.** G.S. 121-42 is repealed.

25 **MAKE LANGUAGE GENDER-NEUTRAL THROUGHOUT GEOLOGISTS** 26 **LICENSING ACT**

27 **SECTION 5.15.(a)** G.S. 89E-3 reads as rewritten:

28 **"§ 89E-3. Definitions.**

29 When used in this Chapter, unless the context otherwise requires:

- 30 (1) "Board" means the North Carolina Board for Licensing of Geologists.
- 31 (2) "Geologist". The term "geologist", within the intent of this Chapter, shall
32 mean a person who is trained and educated in the science of geology.
- 33 (3) The term "geologist-in-training" means a person who has ~~taken~~ and
34 successfully passed the portion of professional examination covering
35 fundamental or academic geologic subjects, prior to ~~his~~ completion of the
36 requisite years of experience in geologic work as ~~provided for in~~ required for
37 licensure under this Chapter.
- 38 ...
- 39 (5) The term "good moral character" means such character as tends to ensure the
40 faithful discharge of ~~the fiduciary duties of the licensed geologist to his~~ a
41 licensed geologist's fiduciary duties to a client.
- 42 ...
- 43 (8) "Public practice of geology" means the performance for others of geological
44 service or work in the nature of work or consultation, investigation, surveys,
45 evaluations, planning, mapping and inspection of geological work, in which
46 the performance is related to the public welfare of safeguarding of life, health,
47 property and the environment, except as specifically exempted by this
48
49
50

Chapter. The definition shall not include or allow the practice of engineering as defined in Chapter 89C of the North Carolina General Statutes.

(9) The term "qualified geologist" means a person who possesses all of the qualifications specified in this Chapter for licensing ~~except that he or she but~~ is not licensed.

(10) The term "responsible charge of work" means the independent control and direction by the use of initiative, skill and independent judgment of geological work or the supervision of such work.

(11) The term "subordinate" means either of the following who does not assume the responsible charge of work:

a. ~~any~~ A person who assists a licensed geologist in the practice of geology without assuming the responsible charge of work. ~~geology.~~

b. A geologist-in-training working under the supervision of a licensed geologist."

SECTION 5.15.(b) G.S. 89E-4 reads as rewritten:

"§ 89E-4. North Carolina Board for Licensing of Geologists; appointments; terms; composition.

...

(c) Each member of the Board shall be a citizen of the United States and shall have been a resident of this State for at least six months immediately preceding ~~his or her appointment.~~ appointment to the Board.

...."

SECTION 5.15.(c) G.S. 89E-6 reads as rewritten:

"§ 89E-6. Exemptions.

Any person except as specifically exempted below who shall publicly practice or offer to publicly practice geology in this State is subject to the provisions of this Chapter. The following persons are exempt:

(1) Persons engaged solely in teaching the science of geology or engaged solely in geologic research in this State ~~may pursue their teaching and/or research without licensing.~~ State. A teacher or researcher must, however, be a licensed geologist ~~if he or she performs to perform~~ geologic work and services for which a licensed geologist license is required by this Chapter.

(2) Officers and employees of the United States of America and the State of North Carolina practicing solely as such officers or employees.

(3) Officers and employees of petroleum companies practicing solely as such officers and employees and not offering their professional services to the public for hire.

(4) A subordinate to a licensed geologist ~~or a geologist in training licensed under this Chapter insofar as he or she acts solely in such when acting solely in that capacity.~~ This exemption does not permit ~~any such a~~ subordinate to practice geology for others in ~~his~~ the subordinate's own right or use the term "licensed geologist".

SECTION 5.15.(d) G.S. 89E-7 reads as rewritten:

"§ 89E-7. Limitations.

...

(b) This Chapter shall not be construed to prevent or to affect:

...

(2) The public practice of geology by a person not a resident of and having no established place of business in this State, when ~~such the~~ practice does not exceed in the aggregate more than 90 days in any calendar year, ~~and provided such person the nonresident is duly licensed to practice such profession~~

geology in another state where the requirements for a license are not lower than those specified in this Chapter for obtaining the license required for such work; ~~and provided further that such Chapter, the nonresident shall file files~~ with the ~~Board Board~~, within 10 days of entering this State for commencing ~~of such work~~, a statement giving ~~his the nonresident's name, residence, residence address, the number of his license, and by what authority issued, and nonresident license number and issuing state, and, upon the completion~~ of the work, files with the Board a statement of the time engaged in ~~such the~~ work ~~within in~~ the State; or

- (3) The public practice of geology by a person who is not a resident of and having has no established place of business in this State, or who State or has recently become a resident hereof, practicing or offering of this State and who practices or offers to practice herein in this State for more than 90 days in any calendar year ~~the profession of geology, if he if the person is licensed in another state or qualified as defined herein, if he shall have state, has~~ filed with the Board an application for a ~~license license~~, and ~~shall have has~~ paid the fee required by this Chapter. ~~Such A practice shall be under this exemption is deemed a provisional practice and shall continue only for such the time as the Board requires reasonably for the consideration of the applicant for licensing under this Chapter as a geologist."~~

SECTION 5.15.(e) G.S. 89E-8 reads as rewritten:

"§ 89E-8. Applications.

An application for licensing as a geologist shall be made under oath, shall show the applicant's education and a summary of ~~his the applicant's geological work, plus and shall set out any other~~ relevant criteria to be determined by the Board. The Board shall have the power to determine a reasonable application fee ~~which that shall accompany each application."~~

SECTION 5.15.(f) G.S. 89E-9 reads as rewritten:

"§ 89E-9. Minimum qualifications.

An applicant shall be eligible for a license as a geologist in North Carolina provided that each applicant meets the following minimum qualifications:

- (1) Be of good moral and ethical character.
- (2) Have graduated from an accredited college or university, and have a degree with a major in geology, engineering geology or geological engineering or related geologic science; or have completed 30 semester hours or the equivalent in geological science courses leading to a major in geology, of which at least 24 hours of the equivalent were upper level undergraduate courses or graduate courses. ~~The Board shall waive the academic requirements for a person already practicing geology at the time this Chapter is enacted, provided application for license is made not later than one year after appointment of the initial Board and provided further that the applicant can provide evidence to satisfy the Board that he or she is competent to engage in the public practice of geology.~~
- (3) Successfully pass such examination established by the Board which shall be designed to demonstrate that the applicant has the necessary knowledge and requisite skill to exercise the responsibilities of the public practice of geology. ~~The Board shall waive the examination for licensing as a geologist of an applicant who makes written application to the Board not later than one year after appointment of the initial Board, and who otherwise meets the qualification of this Chapter.~~
- (4) Have at least five years of professional geological work which shall include a minimum of three years of professional geological work under the supervision

1 of a licensed geologist; or a minimum of three cumulative years work in
 2 responsible charge of geological work satisfactory to the Board. The following
 3 criteria of education and experience qualify as specified toward accumulation
 4 of the required five years of professional geological work:

5 ...

6 d. The ability of the applicant shall have been demonstrated by ~~his~~ having
 7 performed the work in a responsible position as determined by the
 8 Board. The adequacy of the required supervision and the experience
 9 shall be determined by the Board in accordance with the standards set
 10 forth in ~~regulations~~ rules adopted by it."

11 **SECTION 5.15.(g)** G.S. 89E-11 reads as rewritten:

12 **"§ 89E-11. Comity.**

13 A person holding a license to engage in the practice of geology, on the basis of comparable
 14 licensing requirements issued to ~~him~~ by a proper authority by the State, territory, or possession
 15 of the United States or the District of Columbia, and who, in the opinion of the Board otherwise
 16 meets the requirements of this Chapter based upon verified evidence may, upon application, be
 17 licensed without further examination."

18 **SECTION 5.15.(h)** G.S. 89E-13 reads as rewritten:

19 **"§ 89E-13. Seals; requirements.**

20 Each geologist licensed ~~hereunder, under this Chapter,~~ upon the issuance of a license, shall
 21 obtain from the secretary at a cost prescribed by the Board, a seal of the design authorized by the
 22 Board bearing the licensee's name and the legend "Licensed Geologist – State of North Carolina".
 23 All drawings, ~~reports~~ reports, or other geologic papers or documents involving geologic work as
 24 ~~defined in this Chapter which shall have been that are prepared or approved by a licensed~~
 25 ~~geologist or a subordinate employee under his direction for the use of or geologist, or a~~
 26 ~~nonresident geologist who has been exempted under this Chapter,~~ for delivery to any person or
 27 for public record ~~within in~~ this State shall be signed by ~~him or her~~ and impressed with ~~the said~~
 28 ~~seal or the seal of a nonresident practicing under the provisions of this Chapter, either of which~~
 29 ~~shall indicate his or her responsibility therefor.~~ the geologist. The signature and seal each indicate
 30 the geologist's responsibility for the papers or documents."

31 **SECTION 5.15.(i)** G.S. 89E-14 reads as rewritten:

32 **"§ 89E-14. Records.**

33 (a) The Board shall keep a public record of its proceedings and a register of all
 34 applications for licensing.

35 (b) The register shall show:

36 ...

37 (4) ~~His or her~~ The applicant's education and other qualifications;

38"

39 **SECTION 5.15.(j)** G.S. 89E-18 reads as rewritten:

40 **"§ 89E-18. Prohibitions; unlawful acts.**

41 ~~After the effective date of this Chapter:~~ All of the following are unlawful:

42 (1) ~~It shall be unlawful for any~~ For a person other than a licensed geologist or a
 43 ~~subordinate under his direction to prepare any geologic plans, reports~~ reports,
 44 ~~or documents in which the performance is related to the public welfare or~~
 45 ~~safeguarding of life, health, property~~ property, or the environment.

46 (2) ~~It shall be unlawful for any~~ For a person to publicly practice, or offer to
 47 ~~publicly practice, geology in this State as defined in the provisions of this~~
 48 ~~Chapter, State, or to use in connection with his or her the person's name or~~
 49 ~~otherwise assume, assume~~ or advertise any title or description tending to
 50 ~~convey the impression that he or she the person is a licensed geologist, unless~~

1 ~~such the~~ person has been ~~duly~~-licensed or exempted under the provisions of
2 this Chapter.

3 (3) ~~After one year following the effective date of this act, it shall be unlawful for~~
4 ~~For anyone other than a geologist licensed under this Chapter to stamp or seal~~
5 ~~any plans, plats, reports-reports,~~ or other documents with the seal or stamp of
6 a licensed geologist, or to use in any manner the title "Licensed Geologist"
7 unless that person is licensed ~~hereunder-under~~ this Chapter.

8 (4) ~~It shall be unlawful for any~~ For a person to affix his or her signature to or to
9 ~~stamp a licensed geologist's signature, stamp, or seal to~~ any plans, plats,
10 reports, or other documents ~~after the licensing of the person named thereon if~~
11 ~~the geologist's license has expired or has been suspended or revoked-revoked,~~
12 unless the license has since been renewed or reissued."

13 **SECTION 5.15.(k)** G.S. 89E-19 reads as rewritten:

14 **"§ 89E-19. Disciplinary procedures.**

15 ...

16 (b) If the Board finds that a licensee is professionally incompetent, the Board may require
17 the licensee to take an oral or written examination or to meet other requirements to demonstrate
18 the licensee's fitness to practice geology, and the Board may suspend the licensee's license until
19 ~~he or she~~ the licensee establishes professional competence to the satisfaction of the Board.

20"

21 **SECTION 5.15.(l)** G.S. 89E-22 reads as rewritten:

22 **"§ 89E-22. Misdemeanor.**

23 Any person who shall willfully practice publicly, or offer to practice publicly, geology for
24 other natural or corporate persons in this State without being licensed in accordance with the
25 provisions of this Chapter, or any person presenting or attempting to use ~~as his own~~ the license
26 or the seal of ~~another,~~ another as the person's own, or any person who shall give any false or
27 forged evidence of any kind in obtaining a license, or any person who shall falsely impersonate
28 any other licensee of like or different name, or any person who shall attempt to use an expired or
29 revoked license or practice at any time during a period the Board has suspended or revoked the
30 license, or any person who shall violate the provisions of this Chapter shall be guilty of a Class
31 2 misdemeanor."

32 **SECTION 5.15.(m)** G.S. 89E-24 reads as rewritten:

33 **"§ 89E-24. Attorney General as legal advisor.**

34 The Attorney General or any assistant or associate in the Department of Justice selected by
35 ~~him~~ the Attorney General shall act as legal advisor to the Board."

36
37 **MAKING LANGUAGE GENDER-NEUTRAL IN CHILD SUPPORT STATUTE**

38 **SECTION 5.16.** G.S. 110-130 reads as rewritten:

39 **"§ 110-130. Action by the designated representatives of the county commissioners.**

40 (a) ~~Any~~ A county interested in the paternity ~~and/or or~~ support of a dependent child may
41 ~~institute civil or criminal proceedings-commence a civil or criminal action~~ against the responsible
42 parent of the child, child or may ~~take up and pursue~~ intervene in any paternity ~~and/or or~~ support
43 action ~~commenced by the mother, custodian or guardian of the child. Such action shall be~~
44 ~~undertaken by the~~ concerning the child. The designated representative of the county
45 commissioners in the county where the mother ~~of the child~~ resides or is found, in the county
46 where the father resides or is found, or in the county where the child resides or is found. ~~Any~~
47 ~~legal proceeding instituted under this section~~ found may commence or intervene in an action
48 under this section. An action commenced under this section may be based upon information or
49 belief.

50 (b) ~~The~~ A parent of the child may be subpoenaed for testimony at the trial of ~~the action~~
51 ~~to establish the paternity of and/or to obtain support for the child either instituted or taken up by~~

1 ~~the designated representative of the county commissioners. an action commenced or intervened~~
 2 ~~in by a county under this section. The husband-wife privilege shall not be grounds is not a ground~~
 3 ~~for excusing the mother or father from testifying at the trial nor shall said privilege be grounds is~~
 4 ~~the privilege a ground for the exclusion of confidential communications between husband and~~
 5 ~~wife. If a parent called for examination declines to answer upon the grounds that his ground that~~
 6 ~~his or her testimony may tend to incriminate him, him or her, the court may require him to answer~~
 7 ~~in which event he the parent to answer. The parent shall not thereafter be prosecuted for any~~
 8 ~~criminal act involved in the conception of the child whose paternity is in issue and/or or for whom~~
 9 ~~support is sought, except for perjury committed in this testimony."~~

10

11 **CONFORMING CHANGE TO FINANCIAL TRANSACTION CARD CRIME ACT**

12 **SECTION 5.17.** G.S. 14-113.7A reads as rewritten:

13 "**§ 14-113.7A. Application of Article to credit financial transaction cards.**

14 This Article shall ~~not be construed as being applicable~~ does not apply to any credit a financial
 15 transaction card as the term is defined in G.S. 14-113.8."

16

17 **REPEAL OBSOLETE ARTICLE**

18 **SECTION 5.18.** Article 3 of Chapter 110 of the General Statutes is repealed.

19

20 **DELETE OBSOLETE REFERENCES TO THE NONCOMMERCIAL LEAKING**

21 **PETROLEUM UNDERGROUND STORAGE TANK CLEANUP FUND**

22 **SECTION 5.19.(a)** All of the following provisions are repealed:

- 23 (1) Subdivision (5) of G.S. 143-215.94A.
- 24 (2) Subdivisions (b)(6) and (b)(12) of G.S. 143-215.94B.
- 25 (3) G.S. 143-215.94F.
- 26 (4) G.S. 143-215.94P.

27 **SECTION 5.19.(b)** G.S. 143-215.94A(2), (2a), and (7) read as rewritten:

28 "(2) "Commercial underground storage tank" means any one or combination of
 29 tanks (including underground pipes connected thereto) used to contain an
 30 accumulation of petroleum products, the volume of which (including the
 31 volume of the underground pipes connected thereto) is ten percent (10%) or
 32 more beneath the surface of the ground. The term "~~commercial underground~~
 33 ~~storage tank~~" does not include any of the following:

- 34 a. ~~Farm or residential underground storage tank of 1,100 gallons or less~~
 35 ~~capacity used for storing motor fuel for noncommercial purposes;~~
- 36 b. ~~Underground storage tank of 1,100 gallons or less capacity used for~~
 37 ~~storing heating oil for consumptive use on the premises where stored;~~
- 38 e. ~~Underground storage tank of more than 1,100 gallon capacity used for~~
 39 ~~storing heating oil for consumptive use on the premises where stored~~
 40 ~~by four or fewer households;~~
- 41 c1. Noncommercial underground storage tank.
- 42 d. Septic tank; tank.
- 43 e. Pipeline facility (including gathering lines) regulated ~~under; under any~~
 44 of the following:
 - 45 1. The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671
 46 et seq.); seq.
 - 47 2. The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C.
 48 § 2001 et seq.); or seq.
 - 49 3. ~~Any intrastate pipeline facility regulated under State laws~~
 50 ~~comparable to the provisions of the Natural Gas Pipeline~~

- 1 Safety Act of 1968 or the Hazardous Liquid Pipeline Safety
 2 Act of ~~1979~~;1979.
- 3 f. Surface impoundment, pit, pond, or ~~lagoon~~;lagoon.
 4 g. Storm water or waste water collection ~~system~~;system.
 5 h. Flow-through process ~~tank~~;tank.
 6 i. Liquid trap or associated gathering lines directly related to oil or gas
 7 production and gathering ~~operations~~; or~~operations~~.
 8 j. Storage tank situated in an underground area (such as a basement,
 9 cellar, mineworking, drift, shaft, or tunnel) if the storage tank is
 10 situated upon or above the surface of the floor.
- 11 (2a) "Cost-effective cleanup" means the cleanup method that meets all of the
 12 following criteria:
 13 a. Addresses imminent threats to human health or the environment.
 14 b. Provides for the cleanup or removal of all contaminated soil except in
 15 circumstances where it is impractical to remove contaminated soil.
 16 c. Is approved by the Commission for remediation of the site.
 17 d. Is the least expensive cleanup based on total cost, including costs not
 18 eligible for reimbursement from the Commercial Fund ~~or the~~
 19 ~~Noncommercial~~Fund.
- 20 ...
 21 (7) "Noncommercial underground storage tank" means any one or combination
 22 of the following tanks (including underground pipes connected thereto) used
 23 to contain an accumulation of petroleum products, the volume of which
 24 (including the volume of the underground pipes connected thereto) is ten
 25 percent (10%) or more beneath the surface of the ground. ~~The term~~
 26 ~~"noncommercial storage tank" does not include any~~;ground:
 27 a. ~~Commercial underground storage tanks;~~
 28 b. ~~Septic tank;~~
 29 c. ~~Pipeline facility (including gathering lines) regulated under:~~
 30 1. ~~The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671~~
 31 ~~et seq.);~~
 32 2. ~~The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C.~~
 33 ~~§ 2001 et seq.); or~~
 34 3. ~~Any intrastate pipeline facility regulated under State laws~~
 35 ~~comparable to the provisions of the Natural Gas Pipeline~~
 36 ~~Safety Act of 1968 or the Hazardous Liquid Pipeline Safety~~
 37 ~~Act of 1979;~~
 38 d. ~~Surface impoundment, pit, pond, or lagoon;~~
 39 e. ~~Storm water or waste water collection system;~~
 40 f. ~~Flow-through process tank;~~
 41 g. ~~Liquid trap or associated gathering lines directly related to oil or gas~~
 42 ~~production and gathering operations; or~~
 43 h. ~~Storage tank situated in an underground area (such as a basement,~~
 44 ~~eellar, mineworking, drift, shaft, or tunnel) if the storage tank is~~
 45 ~~situated upon or above the surface of the floor.~~
 46 a. Farm or residential underground storage tank of 1,100 gallons or less
 47 capacity used for storing motor fuel for noncommercial purposes.
 48 b. Underground storage tank of 1,100 gallons or less capacity used for
 49 storing heating oil for consumptive use on the premises where stored.

c. Underground storage tank of more than 1,100 gallon capacity used for storing heating oil for consumptive use on the premises where stored by four or fewer households."

SECTION 5.19.(c) G.S. 143-215.94E reads as rewritten:

"§ 143-215.94E. Rights and obligations of the owner or operator.

...

(b1) In the case of a discharge or release from a commercial underground storage tank where the owner and operator cannot be identified or located, or where the owner and operator fail to proceed as required by subsection (a) of this section, the following requirements apply:

(1) If the current landowner of the land in which the commercial underground storage tank is located notifies the Department in accordance with G.S. 143-215.85 and undertakes to collect and remove the discharge or release and to restore the area affected in accordance with the requirements of this Article and applicable federal and State laws, regulations, and rules, the current landowner may elect to have the Commercial Fund pay or reimburse the current landowner for any costs described in subdivisions (1), (2), (2a), (3), and (4) of G.S. 143-215.94B(b) or G.S. 143-215.94B(b1) that exceed the amounts for which the owner or operator is responsible under that subsection.

~~{The following also apply:}~~ The following provisions also apply:

- a. The current landowner is not eligible for payment or reimbursement until the current landowner has paid the costs described in subdivisions (1), (2), (2a), (3), and (4) of G.S. 143-215.94B(b) or G.S. 143-215.94B(b1) for which the owner or operator is responsible.
- b. Eligibility for reimbursement under this subsection may be transferred from a current landowner who has paid the costs described in subdivisions (1), (2), (2a), (3), and (4) of G.S. 143-215.94B(b) or G.S. 143-215.94B(b1) to a subsequent landowner.

The current landowner shall submit documentation of all expenditures as required by G.S. 143-215.94G(b).

...

~~(e) When an An owner, operator, or landowner that pays the costs described in G.S. 143-215.94B(b), 143-215.94B(b1), or 143-215.94D(b1) subsection (b) or (b1) of G.S. 143-215.94B resulting from a discharge or release of petroleum from an a commercial underground storage tank, the owner, operator, or landowner tank may seek reimbursement from the appropriate fund for any costs that the owner, operator, or landowner may elect to have either the Commercial Fund or the Noncommercial Fund pay in accordance with the applicable subsections of this section.~~

(e1) The Department may contract for any services necessary to evaluate any claim for reimbursement or compensation from the Commercial Fund, ~~Fund and~~ may contract for any expert witness or consultant services necessary to defend any decision to pay or deny any claim for reimbursement, ~~and reimbursement. The Department may pay the cost of these services from the fund against which the claim is made; provided that in fund. In any fiscal year-year, however,~~ the Department shall not expend ~~from either fund~~ more than one percent (1%) of the unobligated balance of the fund on 30 June of the previous fiscal year. The cost of contractual services to evaluate a claim or for expert witness or consultant services to defend a decision with respect to a claim shall be included as costs under G.S. 143-215.94B(b) and 143-215.94B(b1) authorized by this subsection are considered costs under subsections (b) and (b1) of G.S. 143-215.94B.

...

(e5) (1) As used in this subsection:

...

b. "Preapproval" means a determination by the Department that:

- 1 1. The nature and scope of a task is reasonable and necessary to
2 be performed under ~~G.S. 143-215.94B(b), 143-215.94B(b1),~~
3 ~~or 143-215.94D(b1)~~ subsection (b) or (b1) of
4 G.S. 143-215.94B in order to achieve the purposes of this Part.
- 5 2. The amount estimated for the cost of a task does not exceed the
6 amount or rate that is reasonable for that task.
- 7 (2) The Department may require an owner, operator, or landowner to obtain
8 preapproval before proceeding with any task. The Department shall specify
9 those tasks for which preapproval is required. The Department shall deny any
10 request for payment or reimbursement of the cost of any task for which
11 preapproval is required if the owner, operator, or landowner failed to obtain
12 preapproval of the task. Preapproval of a task by the Department does not
13 guarantee payment or reimbursement in the amount estimated for the cost of
14 the task at the time preapproval is requested. The Department shall pay or
15 reimburse the cost of a task only if all of the following apply:
16 a. The cost is eligible to be paid under ~~G.S. 143-215.94B(b),~~
17 ~~143-215.94B(b1), or 143-215.94D(b1)~~ subsection (b) or (b1) of
18 G.S. 143-215.94B.
19 b. Payment is in accordance with ~~G.S. 143-215.94B(d) or~~
20 ~~G.S. 143-215.94D(d).~~ G.S. 143-215.94B(d).
21 c. The Department determines that the cost is reasonable and necessary.
- 22 (3) The Commission may adopt rules governing payment or reimbursement of
23 reasonable and necessary costs and, consistent with any rules adopted by the
24 Commission, the Department shall develop, implement, and periodically
25 revise a schedule of costs that the Department determines to be reasonable and
26 necessary costs for specific tasks. Statements that specify tasks for which
27 preapproval is required and schedules of reasonable and necessary costs for
28 specific tasks are statements within the meaning of G.S. 150B-2(8a)g. This
29 subsection ~~shall not be construed to~~ does not invalidate any rule of the
30 Commission related to preapproval of tasks that will result in a cost that is
31 eligible to be paid or reimbursed under ~~G.S. 143-215.94B(b),~~
32 ~~143-215.94B(b1), or 143-215.94D(b1),~~ provided, however, that the
33 subsection (b) or (b1) of G.S. 143-215.94B. The Department may specify
34 ~~additional tasks for which preapproval is required.~~ required in addition to any
35 specified by the Commission.
- 36 (4) In all cases, the Department shall require an owner, operator, or landowner to
37 submit documentation sufficient to establish that a claim is eligible to be paid
38 or reimbursed under this Part before the Department pays or reimburses the
39 claim.
- 40 (5) The Department shall authorize a task the cost of which is to be paid or
41 reimbursed from the Commercial Fund ~~or the Noncommercial Fund~~ only
42 when the task is scheduled to be performed on the basis of a priority
43 determination pursuant to subsection (e4) of this section. The Department
44 shall not pay or reimburse the cost of any task for which authorization is
45 required under this subsection until the Department has preapproved and
46 authorized the task.
- 47 (6) Except as provided in subdivisions (8) and (9) of this subsection, the
48 Department shall not authorize any task the cost of which is to be paid or
49 reimbursed from the Commercial Fund ~~or the Noncommercial Fund~~ unless
50 the Department determines, based on the scope of the work to be performed
51 and the schedule of reasonable and necessary costs, that sufficient funds will

be available in the Commercial Fund ~~or the Noncommercial Fund, whichever applies,~~ to pay or reimburse the cost of that task within 90 days after the Department determines that the owner, operator, or landowner has submitted a claim with documentation sufficient to establish that the claim is eligible to be paid under this Part.

...

(8) The Department may preapprove and authorize ~~a task the cost of which is to be paid or reimbursed for payment or reimbursement~~ from the Commercial Fund ~~or the Noncommercial Fund~~ a task that has not been authorized pursuant to subdivisions (5) and (6) of this subsection if the owner, operator, or landowner specifically requests that the task be authorized and agrees that the claim for payment or reimbursement of the task's cost will not be paid until after the Department has paid all claims for payment or reimbursement of costs for tasks ~~that~~ the Department has authorized pursuant to subdivisions (5) and (6) of this subsection.

(9) The Department may preapprove and authorize ~~a task the cost of which is to be paid or reimbursed for payment or reimbursement~~ from the Commercial Fund ~~or the Noncommercial Fund~~ a task that has not been authorized pursuant to subdivisions (5) and (6) of this subsection if the discharge or release creates an emergency situation. An emergency situation exists when a discharge or release of petroleum results in an imminent threat to human health or the environment. A claim for payment or reimbursement of costs for tasks ~~that are~~ authorized under this subdivision shall be paid or reimbursed on the same basis as tasks ~~that are~~ authorized under subdivisions (5) and (6) of this subsection.

...

(g) No owner or operator shall be reimbursed pursuant to this section, and the Department shall seek reimbursement of the ~~appropriate fund~~ Commercial Fund or of the Department for any monies disbursed from the ~~appropriate fund~~ Commercial Fund or expended by the Department if any of the following apply:

- (1) The owner or operator has willfully violated any substantive law, rule, or regulation applicable to underground storage tanks and intended to prevent or mitigate discharges or releases or to facilitate the early detection of discharges or releases.
- (2) The discharge or release is the result of the owner's or operator's willful or wanton misconduct.
- (3) The owner or operator has failed to pay any annual tank operating fee due pursuant to G.S. 143-215.94C.

...

(j) An owner, operator, or landowner shall request that the Department determine whether any of the costs of assessment and cleanup of a discharge or release from a petroleum underground storage tank are eligible to be paid or reimbursed from ~~either~~ the Commercial Fund within one year after completion of any task that is eligible to be paid or reimbursed under G.S. 143-215.94B(b) or 143-215.94B(b1).

...."

SECTION 5.19.(d) G.S. 143-215.94G, as amended by Section 5.35(l) of this act, reads as rewritten:

"§ 143-215.94G. Authority of the Department to engage in cleanups; actions for fund reimbursement.

(a) If there is a discharge or release of petroleum from any of the following, the Department may use staff, equipment, or materials under its control or provided by other

1 cooperating federal, State, or local agencies and may contract with any agent or contractor it
 2 deems appropriate to investigate a release, to develop and implement a cleanup plan, to provide
 3 interim alternative sources of drinking water to third parties, and to pay the initial costs for
 4 providing permanent alternative sources of drinking water to third parties:

5 (1) ~~A noncommercial underground storage tank.~~

6 (2) An underground storage tank whose owner or operator cannot be identified or
 7 located.

8 (3) An underground storage tank whose owner or operator fails to proceed as
 9 required by G.S. 143-215.94E(a).

10 (4) A commercial underground storage tank taken out of operation prior to 1
 11 January 1974 if, when the discharge or release is discovered, neither the owner
 12 nor operator owns or leases the land on which the underground storage tank
 13 is located.

14 ...

15 (d) The Secretary shall seek reimbursement through any legal means available for the
 16 following:

17 ...

18 (6) The amounts provided for in ~~G.S. 143-215.94B(b5) and~~
 19 ~~G.S. 143-215.94D(b2).~~ G.S. 143-215.94B(b5).

20 (e) In the event that a civil action is commenced to secure reimbursement pursuant to
 21 subdivisions (1) through (4) of subsection (d) of this section, the Secretary may recover, in
 22 addition to any amount due, the costs of the action, including but not limited to reasonable
 23 attorneys' fees and investigation expenses. Any monies received or recovered as reimbursement
 24 shall be paid into the ~~appropriate fund~~ Commercial Fund or other source from which the
 25 expenditures were made.

26 (f) Repealed by Session Laws 2015-241, s. 14.16A(f), effective December 31, 2016.

27 (g) If the Department paid or reimbursed costs that are not authorized to be paid or
 28 reimbursed under G.S. 143-215.94B ~~or G.S. 143-215.94D~~ as a result of a misrepresentation by
 29 an agent that acted on behalf of an owner, operator, or landowner, the Department shall first seek
 30 reimbursement, pursuant to subdivision (1) of subsection (d) of this section, from the agent of
 31 monies paid to or retained by the agent.

32"

33 **SECTION 5.19.(e)** G.S. 143-215.94V reads as rewritten:

34 "**§ 143-215.94V. Standards for petroleum underground storage tank cleanup.**

35 (a) Legislative findings and intent.

36 (1) The General Assembly finds that:

37 a. The goals of the underground storage tank program are to protect
 38 human health and the environment. Maintaining the solvency of the
 39 Commercial Fund ~~and the Noncommercial Fund~~ is essential to these
 40 goals.

41 ...

42 (2) The General Assembly intends:

43 ...

44 e. That ~~neither~~ the Commercial Fund ~~nor the Noncommercial Fund~~ not
 45 be used to clean up sites where the Commission has determined that a
 46 discharge or release poses a degree of risk to human health or the
 47 environment that is no greater than the acceptable level of risk
 48 established by the Commission.

49 f. Repealed by Session Laws 1998-161, s. 11(c), effective retroactively
 50 to January 1, 1998.

1 g. That the Commercial Fund ~~and the Noncommercial Fund~~ be used to
2 perform the most cost-effective cleanup that addresses imminent
3 threats to human health and the environment.

4 ...
5 (c) The Commission may require an owner or operator or a landowner eligible for
6 payment or reimbursement under ~~subsections (b), (b1), (c), and (c1)~~ subsections (b) and (b1) of
7 G.S. 143-215.94E to provide information necessary to determine the degree of risk to human
8 health and the environment that is posed by a discharge or release from a petroleum underground
9 storage and to identify the most cost-effective cleanup that addresses imminent threats to human
10 health and the environment.

11 ...
12 (e) If the Commission concludes under subsection (d) of this section that no cleanup, no
13 further cleanup, or no further action will be required, the Department shall not pay or reimburse
14 any costs otherwise payable or reimbursable under this Article from ~~either the Commercial or~~
15 ~~Noncommercial~~ Fund, other than reasonable and necessary to conduct the risk assessment
16 required by this section, unless:

17 (1) Cleanup is ordered or damages are awarded in a finally adjudicated judgment
18 in an action against the owner or landowner. To be eligible for reimbursement
19 of damages arising from a third-party claim for bodily injury or property
20 damage awarded in a finally adjudicated judgment, however, an owner or
21 operator shall (i) notify the Department of any such claim; (ii) provide the
22 Department with all pleadings and other related documents if a lawsuit has
23 been filed; and (iii) provide the Department copies of any medical reports,
24 statements, investigative reports, or certifications from licensed professionals
25 necessary to determine that a claim for bodily injury or property damage is
26 reasonable and necessary. Reimbursement of claims for damages arising from
27 a third-party claim for bodily injury or property damage awarded in a finally
28 adjudicated judgment shall be subject to the limitations set forth in ~~G.S.~~
29 ~~143-215.94B(b)(5) and G.S. 143-215.94D(b1)(2), as applicable,~~
30 G.S. 143-215.94B(b)(5) and any other provision governing third-party claims
31 set forth in this Article.

32 ...
33 (e1) If the Commission concludes under subsection (d) of this section that further cleanup
34 is required and notifies the owner, operator, or landowner of the cleanup method approved by the
35 Commission as the most cost-effective cleanup method for the site, the Department shall not pay
36 or reimburse any costs otherwise payable or reimbursable under this Article from ~~either the~~
37 ~~Commercial Fund or Noncommercial~~ Fund, other than those costs that are reasonable and
38 necessary to conduct the risk assessment and to implement the cost-effective cleanup method
39 approved by the Commission. If the owner, operator, or landowner selects a cleanup method
40 other than the one identified by the Commission as the most cost-effective cleanup, the
41 Department shall not pay or reimburse for costs in excess of the cost of implementing the
42 approved cost-effective cleanup.

43 ...
44 (h) If a discharge or release of petroleum from an underground storage tank results in
45 contamination in soil or groundwater that becomes commingled with contamination that is the
46 result of a discharge or release of petroleum from a source of contamination other than an
47 underground storage tank, the cleanup of petroleum may proceed under rules adopted pursuant
48 to this section. The Department shall not pay or reimburse from the Commercial Fund any costs
49 associated with the assessment or remediation of that portion of contamination that results from
50 a release or discharge of petroleum from a source other than an underground storage ~~tank from~~
51 ~~either the Commercial Fund or the Noncommercial Fund, tank."~~

1 **SECTION 5.19.(f)** G.S. 143B-426.40A(l) reads as rewritten:

2 "~~(l) Assignment of Payments From the Underground Storage Tank Cleanup Funds.—~~
3 Payments from Commercial Fund. — This section does not apply to an assignment of any claim
4 for payment or reimbursement from the Commercial Leaking Petroleum Underground Storage
5 Tank Cleanup Fund established by ~~G.S. 143-215.94B~~ or the ~~Noncommercial Leaking Petroleum~~
6 ~~Underground Storage Tank Cleanup Fund established by G.S. 143-215.94D.~~G.S. 143-215.94B."

7
8 **UPDATE OBSOLETE REFERENCES AND OTHER CONFORMING CHANGES IN**
9 **ADMINISTRATIVE LAW**

10 **SECTION 5.20.(a)** G.S. 150B-37(c) is recodified as the last sentence of
11 G.S. 150B-34(a).

12 **SECTION 5.20.(b)** G.S. 150B-34, as amended by subsection (a) of this section,
13 reads as rewritten:

14 "**§ 150B-34. Final decision or order.**

15 (a) In each contested case the administrative law judge shall make a final decision or
16 order that contains findings of fact and conclusions of law. The administrative law judge shall
17 decide the case based upon the preponderance of the evidence, giving due regard to the
18 demonstrated knowledge and expertise of the agency with respect to facts and inferences within
19 the specialized knowledge of the agency. The Office of Administrative Hearings shall forward a
20 copy of the administrative law judge's final decision or order to each party.

21 (b) Repealed by Session Laws 1991, c. 35, s. 6.

22 (c) Repealed by Session Laws 2011-398, s. 18. For effective date and applicability, see
23 editor's note.

24 (d) Except for the exemptions contained in G.S. 150B-1, the provisions of this section
25 regarding the decision of the administrative law judge ~~shall~~ apply only to agencies subject to
26 Article 3 of this Chapter, notwithstanding any other provisions to the contrary relating to
27 recommended decisions by administrative law judges.

28 "

29 **SECTION 5.20.(c)** G.S. 90A-30 reads as rewritten:

30 "**§ 90A-30. Penalties; remedies; contested cases.**

31 (a) Upon the recommendation of the Board of Certification, the Secretary of
32 Environmental Quality or a delegated representative may impose an administrative, civil penalty
33 on any person, corporation, company, association, partnership, unit of local government, State
34 agency, federal agency, or other legal entity ~~who~~ that violates G.S. 90A-29(a). Each day of a
35 continued violation ~~shall constitute~~ constitutes a separate violation. The penalty shall not exceed
36 one hundred dollars (\$100.00) for each day ~~such~~ the violation continues. No penalty shall be
37 assessed until the person alleged to be in violation has been notified of the violation.

38 The clear proceeds of penalties imposed pursuant to this section shall be remitted to the Civil
39 Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

40 (b) Any person wishing to contest a penalty issued under this section ~~shall be~~ is entitled
41 to an administrative hearing and judicial review conducted according to the procedures outlined
42 in Articles 3 and 4 of Chapter 150B of the General Statutes.

43 (c) The Secretary may bring a civil action in the superior court of the county in which the
44 violation is alleged to have occurred to recover the amount of the administrative penalty
45 ~~whenever if either of the following applies to an owner or person in control of a water treatment~~
46 facility facility:

47 (1) ~~Who~~ The owner or person has not requested an administrative hearing and
48 fails to pay the penalty within 60 days after being notified of ~~such~~ penalty,
49 ~~or the penalty.~~

50 (2) ~~Who~~ The owner or person has requested an administrative hearing and fails
51 to pay the penalty within 60 days after ~~service of the~~ Office of Administrative

1 Hearings forwards a written copy of the decision as provided in ~~G.S.~~
2 ~~150B-36.~~G.S. 150B-34.

3 (d) Notwithstanding any other provision of law, this section imposes the only penalty or
4 sanction, civil or criminal, for violations of G.S. 90A-29(a) or for the failure to meet any other
5 legal requirement for a water system to have a certified operator in responsible charge."

6 **SECTION 5.20.(d)** G.S. 104E-24 reads as rewritten:

7 "**§ 104E-24. Administrative penalties.**

8 (a) The Department may impose an administrative penalty on ~~any person:~~a person that
9 does either of the following:

10 (1) ~~Who fails~~Fails to comply with this Chapter, any order issued ~~hereunder,~~under
11 it, or any rules adopted pursuant to this Chapter;it.

12 (2) ~~Who refuses~~Refuses to allow an authorized representative of the Radiation
13 Protection Commission or the Department of Health and Human Services a
14 right of entry as provided for in G.S. 104E-11 or impounding materials as
15 provided for in G.S. 104E-14.

16 (b) Each day of a continuing violation ~~shall constitute~~constitutes a separate violation.
17 ~~Such~~The penalty shall not exceed ten thousand dollars (\$10,000) per day. In determining the
18 amount of the penalty, the Department shall consider the degree and extent of the harm caused
19 by the violation. Any person assessed a penalty shall be notified of the assessment by registered
20 or certified mail, and the notice shall specify the reasons for the assessment.

21 (c) Any person wishing to contest a penalty or order issued under this section ~~shall be~~is
22 entitled to an administrative hearing and judicial review in accordance with the procedures
23 outlined in Articles ~~3, 3A, 3~~ and 4 of Chapter 150B of the General Statutes.

24 (d) The Secretary may bring a civil action in the superior court of the county in which
25 ~~such the~~ violation is alleged to have occurred to recover the amount of the administrative penalty
26 ~~whenever a person:~~if either of the following applies:

27 (1) ~~Who~~The person has not requested an administrative hearing and fails to pay
28 the penalty within 60 days after being notified of ~~such penalty,~~or the penalty.

29 (2) ~~Who~~The person has requested an administrative hearing and fails to pay the
30 penalty within 60 days after ~~service of the Office of Administrative Hearings~~
31 forwards a written copy of the decision as provided in ~~G.S.~~
32 ~~150B-36.~~G.S. 150B-34.

33 (e) The clear proceeds of penalties imposed pursuant to this section shall be remitted to
34 the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

35 **SECTION 5.20.(e)** G.S. 108A-70.9A(f) reads as rewritten:

36 "(f) Final Decision. – After a hearing before an administrative law judge, ~~the judge~~OAH
37 shall return forward a written copy of the administrative law judge's decision to the Department
38 and the recipient in accordance with G.S. 150B-37.~~G.S. 150B-34.~~ ~~The Department decision shall~~
39 notify the Department and the recipient of the final decision and of the right to judicial review of
40 the decision pursuant to Article 4 of Chapter 150B of the General Statutes."

41 **SECTION 5.20.(f)** G.S. 108A-70.9B(g) reads as rewritten:

42 "(g) Decision. – The administrative law judge assigned to a contested Medicaid case shall
43 hear and decide the case without unnecessary delay. The judge shall prepare a written decision
44 and ~~send~~shall forward a copy of it to the parties in accordance with
45 ~~G.S. 150B-37.~~G.S. 150B-34."

46 **SECTION 5.20.(g)** G.S. 108D-16 reads as rewritten:

47 "**§ 108D-16. Notice of final decision and right to seek judicial review.**

48 The administrative law judge assigned to conduct a contested case hearing under
49 G.S. 108D-15 shall hear and decide the case without unnecessary delay. The judge shall prepare
50 a written decision that includes findings of fact and conclusions of law and ~~send~~shall forward a
51 copy of it to the parties in accordance with ~~G.S. 150B-37.~~G.S. 150B-34. The written decision

1 shall notify the parties ~~of the final decision and~~ of the right of the enrollee and the managed care
2 entity to seek judicial review of the decision under Article 4 of Chapter 150B of the General
3 Statutes."

4 **SECTION 5.20.(h)** G.S. 122C-24 reads as rewritten:

5 "**§ 122C-24. Adverse action on a license.**

6 (a) The Secretary may deny, suspend, amend, or revoke a license in any case in which
7 the Secretary finds that there has been a substantial failure to comply with any provision of this
8 Article or other applicable statutes or any applicable rule adopted pursuant to these statutes.
9 ~~Action[s]~~ Actions under this section and appeals of those actions shall be in accordance with
10 rules of the Commission and Chapter 150B of the General Statutes.

11 (b) ~~When an appeal is filed concerning the denial, suspension, amendment, or revocation~~
12 ~~of a license, a copy of the proposal for decision shall be sent to the Chairman of the Commission~~
13 ~~in addition to the parties specified in G.S. 150B-34. The Chairman or members of the~~
14 ~~Commission designated by the Chairman may submit for the Secretary's consideration written or~~
15 ~~oral comments concerning the proposal prior to the issuance of a final agency decision in~~
16 ~~accordance with G.S. 150B-36."~~

17 **SECTION 5.20.(i)** G.S. 122C-24.1 reads as rewritten:

18 "**§ 122C-24.1. Penalties; remedies.**

19 ...

20 (h) The Secretary may bring a civil action in the superior court of the county ~~wherein~~
21 ~~where~~ the violation occurred to recover the amount of the administrative penalty ~~whenever if~~
22 either of the following applies to a facility:

23 (1) ~~Which~~ The facility has not requested an administrative hearing and fails to
24 pay the penalty within 60 days after being notified of the ~~penalty, or penalty.~~

25 (2) ~~Which~~ The facility has requested an administrative hearing and fails to pay
26 the penalty within 60 days after ~~receipt of the Office of Administrative~~
27 Hearings forwards a written copy of the decision as provided in
28 ~~G.S. 150B-37.~~ G.S. 150B-34.

29 ...

30 (j) The clear proceeds of civil penalties provided for in this section shall be remitted to
31 the ~~State Treasurer for deposit~~ Civil Penalty and Forfeiture Fund in accordance with ~~State~~
32 ~~law.~~ G.S. 115C-457.2.

33"

34 **SECTION 5.20.(j)** G.S. 131D-34 reads as rewritten:

35 "**§ 131D-34. Penalties; remedies.**

36 ...

37 (g) The Secretary may bring a civil action in the superior court of the county ~~wherein~~
38 ~~where~~ the violation occurred to recover the amount of the administrative penalty ~~whenever if~~
39 either of the following applies to a facility:

40 (1) ~~Which~~ The facility has not requested an administrative hearing and fails to
41 pay the penalty within 60 days after being notified of the ~~penalty, or penalty.~~

42 (2) ~~Which~~ The facility has requested an administrative hearing and fails to pay
43 the penalty within 60 days after ~~receipt of the Office of Administrative~~
44 Hearings forwards a written copy of the decision as provided in
45 ~~G.S. 150B-36.~~ G.S. 150B-34.

46 ...

47 (i) The clear proceeds of civil penalties provided for in this section shall be remitted to
48 the ~~State Treasurer for deposit~~ Civil Penalty and Forfeiture Fund in accordance with ~~State~~
49 ~~law.~~ G.S. 115C-457.2."

50 **SECTION 5.20.(k)** G.S. 131E-129(f) reads as rewritten:

1 (f) The Secretary may bring a civil action in the superior court of the county ~~wherein~~
2 where the violation occurred to recover the amount of the administrative penalty ~~whenever if~~
3 either of the following applies to a facility:

- 4 (1) ~~Which~~ The facility has not requested an administrative hearing and fails to
5 pay the penalty within 60 days after being notified of the ~~penalty; or penalty.~~
6 (2) ~~Which~~ The facility has requested an administrative hearing and fails to pay
7 the penalty within 60 days after ~~receipt of the Office of Administrative~~
8 Hearings forwards a written copy of the decision as provided in
9 ~~G.S. 150B-36. G.S. 150B-34."~~

10 **SECTION 5.20.(I)** G.S. 143-215.94G reads as rewritten:

11 "**§ 143-215.94G. Authority of the Department to engage in cleanups; actions for fund**
12 **reimbursement.**

13 (a) ~~The~~ If there is a discharge or release of petroleum from any of the following, the
14 Department may use staff, equipment, or materials under its control or provided by other
15 cooperating federal, State, or local agencies and may contract with any agent or contractor it
16 deems appropriate to investigate a release, to develop and implement a cleanup plan, to provide
17 interim alternative sources of drinking water to third parties, and to pay the initial costs for
18 providing permanent alternative sources of drinking water to third parties, ~~and shall pay the costs~~
19 ~~resulting from the Commercial Fund whenever there is a discharge or release of petroleum from~~
20 any of the following parties:

- 21 (1) A noncommercial underground storage tank.
22 (2) An underground storage tank whose owner or operator cannot be identified or
23 located.
24 (3) An underground storage tank whose owner or operator fails to proceed as
25 required by G.S. 143-215.94E(a).
26 (4) A commercial underground storage tank taken out of operation prior to 1
27 January 1974 if, when the discharge or release is discovered, neither the owner
28 nor operator owns or leases the land on which the underground storage tank
29 is located.

30 (a1) Every State agency shall provide to the Department to the maximum extent feasible
31 ~~such any~~ staff, equipment, and materials ~~as may be that are~~ available and useful to the
32 development and implementation of a cleanup program.

33 (a2) The cost of any action authorized under subsection (a) of this section shall be paid, to
34 the extent funds are available, from the following sources in the order listed:

- 35 (1) Any funds to which the State is entitled under any federal program providing
36 for the cleanup of petroleum discharges or releases from underground storage
37 tanks, including, but not limited to, the Leaking Underground Storage Tank
38 Trust Fund established pursuant to 26 U.S.C. § 4081 and 42 U.S.C. §
39 6991b(h).
40 (2) The Commercial Fund.

41 (a3) Expired October 1, 2011, pursuant to Session Laws 2001-442, s. 8, as amended by
42 Session Laws 2008-195, s. 11.

43 (b) Whenever the discharge or release of a petroleum product is from a commercial
44 underground storage tank, the Department may supervise the cleanup of environmental damage
45 required by G.S. 143-215.94E(a). If the owner or operator elects to have the Commercial Fund
46 reimburse or pay for any costs allowed under subsection (b) or (b1) of G.S. 143-215.94B, the
47 Department shall require the owner or operator to submit documentation of all expenditures
48 claimed for the purposes of establishing that the owner or operator has spent the amounts required
49 to be paid by the owner or operator pursuant to and in accordance with G.S. 143-215.94E(b). The
50 Department shall allow credit for all expenditures that the Department determines to be
51 reasonable and necessary. The Department ~~may~~ shall not pay for any costs for which the

1 Commercial Fund was established until the owner or operator has paid the amounts specified in
2 G.S. 143-215.94E(b).

3 (c) The Secretary shall keep a record of all expenses incurred for the services of State
4 personnel and for the use of the State's equipment and material.

5 (d) The Secretary shall seek reimbursement through any legal means ~~available,~~
6 for available for the following:

7 (1) Any costs not authorized to be paid from the Commercial ~~Fund;~~Fund.

8 (2) The amounts provided for in G.S. 143-215.94B(b) or G.S. 143-215.94B(b1)
9 required to be paid for by the owner or operator pursuant to
10 G.S. 143-215.94E(b) ~~where~~if the owner or operator of a commercial
11 underground storage tank is later identified or ~~located;~~located.

12 (3) The amounts provided for in G.S. 143-215.94B(b) or G.S. 143-215.94B(b1)
13 required to be paid for by the owner or operator pursuant to
14 G.S. 143-215.94E(b) ~~where~~if the owner or operator of a commercial
15 underground storage tank failed to proceed as required by ~~G.S.~~
16 ~~143-215.94E(a);~~G.S. 143-215.94E(a).

17 (3a) The amounts provided for by G.S. 143-215.94B(b)(5) required to be paid by
18 the owner or operator to third parties for the cost of providing interim
19 alternative sources of drinking water to third parties and the initial cost of
20 providing permanent alternative sources of drinking water to third
21 ~~parties;~~parties.

22 (4) Any funds due under ~~G.S. 143-215.94E(g);~~ and G.S. 143-215.94E(g).

23 (5) Any funds to which the State is entitled under any federal program providing
24 for the cleanup of petroleum discharges or releases from underground storage
25 ~~tanks;~~ and tanks.

26 (6) The amounts provided for in G.S. 143-215.94B(b5) and
27 G.S. 143-215.94D(b2).

28 (e) In the event that a civil action is commenced to secure reimbursement pursuant to
29 subdivisions (1) through (4) of subsection (d) of this section, the Secretary may recover, in
30 addition to any amount due, the costs of the action, including but not limited to reasonable
31 ~~attorney's~~attorneys' fees and investigation expenses. Any monies received or recovered as
32 reimbursement shall be paid into the appropriate fund or other source from which the
33 expenditures were made.

34 (f) Repealed by Session Laws 2015-241, s. 14.16A(f), effective December 31, 2016.

35 (g) If the Department paid or reimbursed costs that are not authorized to be paid or
36 reimbursed under G.S. 143-215.94B or G.S. 143-215.94D as a result of a misrepresentation by
37 an agent ~~who~~that acted on behalf of an owner, operator, or landowner, the Department shall first
38 seek reimbursement, pursuant to subdivision (1) of subsection (d) of this section, from the agent
39 of monies paid to or retained by the agent.

40 (h) The Department shall take administrative action to recover costs or bring a civil action
41 pursuant to subdivision (1) of subsection (d) of this section to seek reimbursement of costs in
42 accordance with the ~~time limits set out in this subsection.~~following time limits:

43 (1) The Department shall take administrative action to recover costs or bring a
44 civil action to seek reimbursement of costs that are not authorized to be paid
45 from the Commercial Fund under subdivision (1), (2), or (3) of
46 G.S. 143-215.94B(d) within five years after payment.

47 (2) The Department shall take administrative action to recover costs or bring a
48 civil action to seek reimbursement of costs other than those described in
49 subdivision (1) of this subsection within three years after payment.

50 (3) Notwithstanding the time limits set out in subdivisions (1) and (2) of this
51 subsection, the Department may take administrative action to recover costs or

1 bring a civil action to seek reimbursement of costs paid as a result of fraud or
2 misrepresentation at any time.

3 (i) An administrative action or civil action that is not commenced within the time allowed
4 by subsection (h) of this section is barred.

5 (j) Except with the consent of the claimant, the Department ~~may~~shall not withhold
6 payment or reimbursement of costs that are authorized to be paid from the Commercial Fund in
7 order to recover any other costs that are in dispute unless the Department is authorized to
8 withhold payment by a final decision ~~of the Commission pursuant to G.S. 150B-36~~in a contested
9 case under Article 3 of Chapter 150B of the General Statutes or by an order or final decision of
10 a court."

11 **REPEAL OBSOLETE ARTICLE**

12 **SECTION 5.21.** Article 29A of Chapter 143 of the General Statutes is repealed.
13
14

15 **PART V-A. HELENE RELATED FUNDING AND FLEXIBILITY**

16 **HELENE RELATED FUNDING: COMPETITIVE GRANT PRIORITIZATION**

17 **SECTION 5A.1.(a)** Notwithstanding any other provision of law, for the 2025-2027
18 fiscal biennium, the following programs and funds, which collectively represent over seven
19 hundred fifty million dollars (\$750,000,000) in the base budget from competitive grant programs
20 over the biennium, shall prioritize applicants from counties that (i) were designated, in whole or
21 in part, by the United States Department of Housing and Urban Development as the most
22 impacted and distressed counties from Hurricane Helene and (ii) have a population of 300,000
23 or fewer based upon the 2023 Certified County Population Estimates from the State
24 Demographer:
25

- 26 (1) Needs-Based Public School Capital Fund, established in Article 38B of
27 Chapter 115C of the General Statutes. The matching requirement under
28 G.S. 115C-546.11 is waived for applicants qualifying under this subsection
29 for prioritization.
- 30 (2) Community Health Grant Program administered by the Department of Health
31 and Human Services, Division of Central Management, Office of Rural Health
32 (Rural Health).
- 33 (3) State-Designated Rural Health Centers Support Grant Program and Rural
34 Health Capital Grants Program administered by Rural Health.
- 35 (4) Agricultural Water Resources Assistance Program, established under Article
36 5 of Chapter 139 of the General Statutes.
- 37 (5) Utility Account, established under G.S. 143B-437.01.
- 38 (6) Rural Engagement & Investment Program under the Department of
39 Commerce, Rural Economic Development Division.
- 40 (7) Parks and Recreation Trust Fund, established under G.S. 143B-135.56.
- 41 (8) North Carolina Land and Water Fund, established under G.S. 143B-135.234.
- 42 (9) Grants administered by the North Carolina Arts Council, established under
43 Part 14 of Article 2 of Chapter 143B of the General Statutes.
- 44 (10) Grants awarded by the State Water Infrastructure Authority from the State
45 Drinking Water and Wastewater Reserves.

46 **SECTION 5A.1.(b)** Each agency overseeing the administration of funds from the
47 programs and funds listed in subsection (a) of this section shall require applicants seeking
48 prioritization to attest that (i) the application for funds is for repair, replacement, or construction
49 of equipment, buildings, or natural features due to damage or effects from Hurricane Helene,
50 including capacity-building, and (ii) the amount of funds requested is the amount of unmet need
51 above the amount paid by insurance and available federal aid.

HELENE RELATED FUNDING: STATE AGENCIES OPERATIONS

SECTION 5A.2. In order to augment State funds that are available for operational needs of various State agencies resulting from recovery and relief efforts related to damage and suffering caused by Hurricane Helene, the General Assembly has identified and transferred to the Helene Fund funds from other reserves, in the amount of seven hundred million dollars (\$700,000,000), that are currently unutilized or underutilized and has used a portion of those funds for multiple agencies, as provided elsewhere in this act, including the North Carolina Community College System, the Department of Commerce, the Office of the Governor, and The University of North Carolina.

HELENE RELATED FUNDING: SEWER/WATER

SECTION 5A.3. The General Assembly finds that the supplemental appropriations provided by Congress in the American Relief Act of 2025 (P.L. 118-158) and allocated by the U.S. Environmental Protection Agency to the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund for wastewater treatment works, drinking water facilities, and decentralized wastewater treatment systems in the State impacted by Hurricane Helene should be expeditiously used for repair and replacement of drinking water and wastewater infrastructure damaged by Hurricane Helene.

Accordingly, the General Assembly has appropriated in this act for the 2025-2026 fiscal year the sum of six hundred eighty-five million six hundred thirteen thousand dollars (\$685,613,000) in federal disaster funding in this act, which is allocated in and for the following amounts and uses:

- (1) Two hundred fifty-three million six hundred eighty-one thousand dollars (\$253,681,000) to the Clean Water State Revolving Fund established in G.S. 159G-22(b) (CWSRF) and four hundred nine million four hundred twenty-two thousand dollars (\$409,422,000) to the Drinking Water State Revolving Fund established in G.S. 159G-22(c) (DWSRF) for funding of projects consistent with applicable federal law and guidance to CWSRF and DWSRF eligible entities that were damaged, can demonstrate impact, or experienced a loss or disruption of a mission-essential function caused by Hurricane Helene.
- (2) Twenty-two million five hundred ten thousand dollars (\$22,510,000) to the CWSRF to improve the resilience of decentralized wastewater treatment systems to flooding, to assess the potential to connect homes served by decentralized wastewater treatment systems to centralized wastewater systems, and to fund such connections.

HELENE RELATED FUNDING: TRANSPORTATION

SECTION 5A.4. In order to augment State funds that are available for needs resulting from recovery and relief efforts related to damage and suffering caused by Hurricane Helene, the General Assembly is identifying and reallocating transportation funds that are unutilized or underutilized to meet the cash flow and federal matching requirements for transportation infrastructure recovery in Helene impacted counties. To this end, as otherwise provided in this act, the General Assembly has identified six hundred thirty-three million six hundred thirty-nine thousand six hundred thirty dollars (\$633,639,630) in Part XLIII of this act for reallocation for uses consistent with the Highway Fund and this act.

HELENE RELATED FUNDING: PUBLIC SCHOOL CAPITAL

SECTION 5A.5. The State Controller shall transfer interest earned as of June 30, 2025, from the Needs-Based Public School Capital Fund established in Article 38B of Chapter

1 115C of the General Statutes, estimated at thirty-nine million six hundred thousand dollars
2 (\$39,600,000), to the Department of Public Instruction for Capital Recovery Funds for the Public
3 School Facilities Program, established in S.L. 2024-53, Committee Report, page F2, Item 7.

5 **EMERGENCY FLEXIBILITY OF FUNDS**

6 **SECTION 5A.6.** G.S. 166A-19.40 reads as rewritten:

7 "**§ 166A-19.40. Use of contingency and emergency funds.**

8 (a) Use of Contingency and Emergency Funds. – The Governor may use contingency and
9 emergency funds:

10 (1) As necessary and appropriate to provide relief and assistance from the effects
11 of an emergency.

12 (2) As necessary and appropriate for National Guard training in preparation for
13 emergencies with the concurrence of the Council of State.

14 (b) Repealed by Session Laws 2015-241, s. 6.19(a), effective July 1, 2015.

15 (c) Use of Other Funds. – The Governor may reallocate on a nonrecurring basis such
16 other funds as may reasonably be available within the appropriations of the various departments
17 when all of the following conditions are satisfied:

18 (1) The severity and magnitude of the emergency so requires.

19 (2) Contingency and emergency funds are insufficient or inappropriate.

20 (3) A state of emergency has been declared pursuant to G.S. 166A-19.20(a).

21 (4) Funds in the State Emergency Response and Disaster Relief Fund are
22 insufficient."

24 **PART VI. COMMUNITY COLLEGE SYSTEM**

26 **INSTITUTIONAL SUPPORT CONSOLIDATION**

27 **SECTION 6.1.(a)** The State Board of Community Colleges shall consolidate
28 administrative functions held across the community colleges system into a new administrative
29 structure. The President of the Community Colleges System, a consultant hired by the State
30 Board, or individual community colleges may submit recommendations to the State Board, but
31 all decision-making power on the development of the new structure resides with the State Board.
32 The new structure developed pursuant to this section shall go into effect beginning with the
33 2026-2027 academic year. The State Board may use up to two million dollars (\$2,000,000) in
34 nonrecurring funds appropriated in this act for the 2025-2026 fiscal year for the following:

35 (1) To contract with a third-party consultant to assist with development of the new
36 administrative structure.

37 (2) To conduct studies related to developing the new administrative structure.

38 (3) Other purposes the State Board deems relevant to developing the new
39 administrative structure.

40 **SECTION 6.1.(b)** The State Board shall submit a report to the Joint Legislative
41 Education Oversight Committee on the administrative structure developed pursuant to this
42 section no later than April 15, 2026. The report shall include at least the following:

43 (1) An overview of the new structure compared to the prior structure.

44 (2) A summary of efficiencies achieved by the new structure.

46 **REPEAL MINORITY MALE SUCCESS INITIATIVE REPORT**

47 **SECTION 6.2.** G.S. 115D-58.17(a) reads as rewritten:

48 "(a) No later than February 15, 2024, and annually thereafter, the State Board of
49 Community Colleges shall report to the Joint Legislative Education Oversight Committee on
50 outcomes related to ~~the following recurring programs:~~

- 1 (1) ~~Minority male mentoring programs, including the Minority Male Success~~
 2 ~~Initiative.~~
 3 (2) ~~The~~ the Rowan-Cabarrus Community College Biotechnology Training Center and
 4 Greenhouse at the North Carolina Research Campus in Kannapolis."
 5

6 PROPEL NC

7 **SECTION 6.3.(a)** The following session laws are repealed:

- 8 (1) Subsection (b) of Section 8.3 of S.L. 2011-145.
 9 (2) Subsection (a) of Section 10.4 of S.L. 2013-360.

10 **SECTION 6.3.(b)** The State Board of Community Colleges shall revise its funding
 11 formula for community colleges and allocate funds under that revised formula, beginning with
 12 the 2025-2026 fiscal year, according to the following minimum criteria:

- 13 (1) Each community college shall continue to receive a base allocation of funds.
 14 (2) In addition to the base allocation of funds, funds shall be provided to
 15 community colleges based on the number of full-time equivalent (FTE)
 16 students enrolled in curriculum, workforce continuing education, and Basic
 17 Skills courses.
 18 (3) Funds allocated pursuant to subdivision (2) of this subsection shall be
 19 weighted based on the workforce sector of each course, as determined by the
 20 State Board. In making its determinations, the State Board shall consider
 21 salary data and labor market demand for the applicable workforce sector.

22 **SECTION 6.3.(c)** Part 3 of Article 1 of Chapter 115D of the General Statutes, as
 23 enacted by this act, is further amended by adding a new section to read:

24 "**§ 115D-10.55. Course review.**

25 The State Board of Community Colleges shall review and revise, as necessary, its workforce
 26 sector designations for curriculum, workforce continuing education, and Basic Skills courses at
 27 community colleges by July 15, 2028, and every three years thereafter."

28 **SECTION 6.3.(d)** Of the funds appropriated for the purposes of this section, the
 29 State Board of Community Colleges shall increase funding for pathways related to healthcare,
 30 engineering and advanced manufacturing, trades and transportation, and information technology.

31 **SECTION 6.3.(e)** No later than April 1, 2027, the Community Colleges System
 32 Office shall report to the Joint Legislative Education Oversight Committee on the revisions to its
 33 funding formula for community colleges pursuant to subsection (b) of this section, including the
 34 structure of the revised formula, the process for implementing the revised formula, and any
 35 recommended changes to the revised formula.
 36

37 NCCCS IDD WORKFORCE TRAINING EXPANSION

38 **SECTION 6.4.(a)** G.S. 115D-10.21(a), as enacted by this act, reads as rewritten:

39 "(a) The State Board of Community Colleges shall establish a community college training
 40 program for up to ~~15~~25 community colleges. The program shall provide opportunities for
 41 micro-credentials or other credentials that lead to increased employment outcomes for
 42 individuals with intellectual and developmental disabilities (IDD). To the extent funds are
 43 appropriated for this purpose, the program shall improve the ability of participating community
 44 colleges to offer training and educational components that include improving employability skills
 45 and providing on-the-job training and apprenticeships with business and industry for individuals
 46 with IDD. The goal of the program shall be to inform community colleges and address
 47 cross-departmental supports within the individual community colleges on programs for
 48 individuals with IDD related to at least the following:

- 49 (1) Establishing best practices for providing vocational training for individuals
 50 with IDD.
 51 (2) Providing financial and benefits counseling.

- 1 (3) Developing strategies on integrating assistive technology.
- 2 (4) Maximizing access, with supports, to credential and degree programs,
- 3 including micro-credentials that are established by the State Board.
- 4 (5) Identifying methods to increase orientation and integration of individuals with
- 5 IDD into the college community to the greatest extent possible.
- 6 (6) Determining a needs assessment, marketing, and evaluation to serve a broad
- 7 array of individuals with developmental and other similar disabilities or
- 8 learning challenges to assure adequate demand for new or existing programs."

9 **SECTION 6.4.(b)** Of the funds appropriated for North Carolina Community
 10 Colleges System IDD Workforce Training Expansion in this act, the Community Colleges
 11 System Office shall use the funds as follows:

- 12 (1) The sum of six hundred forty thousand dollars (\$640,000) in recurring funds
- 13 shall be used to create two positions to facilitate the creation of work-based
- 14 learning opportunities and be dedicated to engagement with business and
- 15 industry partners statewide. These funds shall also be used for the expansion
- 16 of Career and College Promise high school pathways and pre-apprenticeships
- 17 and work-based learning for individuals with intellectual and developmental
- 18 disabilities.
- 19 (2) The sum of eight hundred ten thousand dollars (\$810,000) may be used for
- 20 marketing evaluation, online resources, professional development, and
- 21 infrastructure support.
- 22 (3) The remaining funds shall be used to expand the program developed pursuant
- 23 to G.S. 115D-10.21, as amended by this section.

24 **SECTION 6.4.(c)** The Community Colleges System Office shall continue to provide
 25 funds to community colleges participating in the program developed pursuant to
 26 G.S. 115D-10.21, as amended by this section, at the rate of one hundred ninety-four thousand
 27 dollars (\$194,000) per participating community college.

28
 29 **CHAPTER 115D REORGANIZATION**

30 **SECTION 6.5.(a)** Article 1 of Chapter 115D of the General Statutes reads as
 31 rewritten:

32 "Article 1.

33 "General Provisions for State Administration.

34 "Part 1. Establishment and Administration of the North Carolina Community Colleges System.

35 "**§ 115D-1. Statement of purpose.**

36 The purposes of this Chapter are to provide for the establishment, organization, and
 37 administration of a system of educational institutions throughout the State offering courses of
 38 instruction in one or more of the general areas of two-year college parallel, technical, vocational,
 39 and adult education programs, to serve as a legislative charter for such institutions, and to
 40 authorize the levying of local taxes and the issuing of local bonds for the support thereof. The
 41 major purpose of each and every institution operating under the provisions of this Chapter shall
 42 be and shall continue to be the offering of vocational and technical education and training, and
 43 of basic, high school level, academic education needed in order to profit from vocational and
 44 technical education, for students who are high school graduates or who are beyond the
 45 compulsory age limit of the public school system and who have left the public schools, provided,
 46 juveniles of any age committed to the Division of Juvenile Justice of the Department of Public
 47 Safety by a court of competent jurisdiction may, if approved by the director of the youth
 48 development center to which they are assigned, take courses offered by institutions of the system
 49 if they are otherwise qualified for admission.

1 The Community Colleges System Office is designated as the primary lead agency for
2 delivering workforce development training, adult literacy training, and adult education programs
3 in the State.

4 ...

5 ~~"§ 115D-1.3. Accreditation of secondary school located in North Carolina shall not be a~~
6 ~~factor in admissions, loans, scholarships, or other educational policies.~~

7 (a) ~~For purposes of this section, the term "accreditation" shall include certification or any~~
8 ~~other similar approval process.~~

9 (b) ~~The State Board of Community Colleges shall adopt a policy that prohibits any~~
10 ~~community college from soliciting or using information regarding the accreditation of a~~
11 ~~secondary school located in North Carolina that a person attended as a factor affecting~~
12 ~~admissions, loans, scholarships, or other educational activity at the community college, unless~~
13 ~~the accreditation was conducted by a State agency.~~

14 ...

15 ~~"§ 115D-4.1. College transfer program approval; standards for programs; annual~~
16 ~~reporting requirements.~~

17 (a) ~~Repealed by Session Laws 1995, c. 288, s. 1, effective September 1, 1995.~~

18 (b) ~~The State Board of Community Colleges may approve the addition of the college~~
19 ~~transfer program to a community college. If addition of the college transfer program to an~~
20 ~~institution would require a substantial increase in funds, State Board approval shall be subject to~~
21 ~~appropriation of funds by the General Assembly for this purpose.~~

22 (c) ~~Addition of the college transfer program shall not decrease an institution's ability to~~
23 ~~provide programs within its basic mission of vocational and technical training and basic academic~~
24 ~~education.~~

25 (d) ~~The State Board of Community Colleges shall develop appropriate criteria and~~
26 ~~standards to regulate the addition of the college transfer program to institutions.~~

27 (e) ~~The State Board of Community Colleges shall develop appropriate criteria and~~
28 ~~standards to regulate the operation of college transfer programs.~~

29 (f) ~~The Board of Governors of The University of North Carolina shall report to each~~
30 ~~community college and to the State Board of Community Colleges in accordance with~~
31 ~~G.S. 116-11(10b) on the academic performance of that community college's transfer students. If~~
32 ~~the State Board of Community Colleges finds that college transfer students from a community~~
33 ~~college are not consistently performing adequately at a four-year college, the Board shall review~~
34 ~~the community college's program and determine what steps are necessary to remedy the problem.~~
35 ~~The Board shall report annually to the General Assembly on the reports it receives and on what~~
36 ~~steps it is taking to remedy problems that it finds.~~

37 (g) ~~The Community Colleges System Office shall report by April 15, 2011, and annually~~
38 ~~thereafter, to the Joint Legislative Education Oversight Committee, the State Board of Education,~~
39 ~~the Office of State Budget and Management, and the Fiscal Research Division of the General~~
40 ~~Assembly on the implementation of the UNC-NCCCS 2+2 E-Learning Initiative. This report~~
41 ~~shall include:~~

42 (1) ~~The courses and programs within the 2+2 E-Learning Initiative;~~

43 (2) ~~The total number of prospective teachers that have taken or are taking part in~~
44 ~~this initiative to date broken down by the current academic period and each of~~
45 ~~the previous academic periods since the program's inception;~~

46 (3) ~~The total number of teachers currently in the State's classrooms, by local~~
47 ~~school administrative unit, who have taken part in this initiative;~~

48 (4) ~~The change in the number of teachers available to schools since the program's~~
49 ~~inception;~~

1 (5) The qualitative data from students, teachers, local school administrative unit
2 personnel, university personnel, and community college personnel as to the
3 impact of this initiative on our State's teaching pool; and

4 (6) An explanation of the expenditures and collaborative programs between the
5 North Carolina Community College System and The University of North
6 Carolina, including recommendations for improvement.

7 ~~"§ 115D-5. Administration of institutions by State Board of Community Colleges;
8 personnel exempt from North Carolina Human Resources Act; extension
9 courses; tuition waiver; in-plant training; contracting, etc., for establishment
10 and operation of extension units of the community college system; use of existing
11 public school facilities.~~

12 (a) ~~The State Board of Community Colleges may adopt and execute such policies,
13 regulations and standards concerning the establishment, administration, and operation of
14 institutions as the State Board may deem necessary to insure the quality of educational programs,
15 to promote the systematic meeting of educational needs of the State, and to provide for the
16 equitable distribution of State and federal funds to the several institutions.~~

17 ~~The State Board of Community Colleges shall establish standards and scales for salaries and
18 allotments paid from funds administered by the State Board, and all employees of the institutions
19 shall be exempt from the provisions of the North Carolina Human Resources Act. Any and all
20 salary caps set by the State Board for community college presidents shall apply only to the
21 State paid portion of the salary. Except as otherwise provided by law, the employer contribution
22 rate on the local paid portion of the salary, to be paid from local funds, shall be set by the State
23 Treasurer based on actuarial recommendations. The State Board shall have authority with respect
24 to individual institutions: to approve sites, capital improvement projects, budgets; to approve the
25 selection of the chief administrative officer; to establish and administer standards for professional
26 personnel, curricula, admissions, and graduation; to regulate the awarding of degrees, diplomas,
27 and certificates; to establish and regulate student tuition and fees within policies for tuition and
28 fees established by the General Assembly; and to establish and regulate financial accounting
29 procedures.~~

30 ~~The State Board of Community Colleges shall require each community college to meet the
31 faculty credential requirements of its accrediting agency for all community college programs.~~

32 (a1) ~~Notwithstanding G.S. 66-58(c)(3) or any other provisions of law, the State Board of
33 Community Colleges may adopt rules governing the expenditure of funds derived from bookstore
34 sales by community colleges. These expenditures shall be consistent with the mission and
35 purpose of the Community College System. Profits may be used in the support and enhancement
36 of the bookstores, for student aid or scholarships, for expenditures of direct benefit to students,
37 and for other similar expenditures authorized by the board of trustees, subject to rules adopted
38 by the State Board. These funds shall not be used to supplement salaries of any personnel.~~

39 (a2) ~~The State Board of Community Colleges shall comply with the provisions of
40 G.S. 116-11(10a) to plan and implement an exchange of information between the public schools
41 and the institutions of higher education in the State.~~

42 (a3) ~~The State Board of Community Colleges shall adopt the following rules to assist
43 community colleges in their administration of procedures necessary to implement G.S. 20-11 and
44 G.S. 20-13.2:~~

45 (1) ~~To establish the procedures a person who is or was enrolled in a community
46 college must follow and the requirements that person must meet to obtain a
47 driving eligibility certificate.~~

48 (2) ~~To require the person who is required under G.S. 20-11(n) to sign the driving
49 eligibility certificate to provide the certificate if he or she determines that one
50 of the following requirements is met:~~

- 1 a. ~~The person seeking the certificate is eligible for the certificate under~~
2 ~~G.S. 20-11(n)(1) and is not subject to G.S. 20-11(n1).~~
- 3 b. ~~The person seeking the certificate is eligible for the certificate under~~
4 ~~G.S. 20-11(n)(1) and G.S. 20-11(n1).~~
- 5 (3) ~~To provide for an appeal through the grievance procedures established by the~~
6 ~~board of trustees of each community college by a person who is denied a~~
7 ~~driving eligibility certificate.~~
- 8 (4) ~~To define exemplary student behavior and to define what constitutes the~~
9 ~~successful completion of a drug or alcohol treatment counseling program.~~
- 10 ~~The State Board also shall develop policies as to when it is appropriate to~~
11 ~~notify the Division of Motor Vehicles that a person who is or was enrolled in~~
12 ~~a community college no longer meets the requirements for a driving eligibility~~
13 ~~certificate. The State Board also shall adopt guidelines to assist the presidents~~
14 ~~of community colleges in their designation of representatives to sign driving~~
15 ~~eligibility certificates.~~
- 16 ~~The State Board shall develop a form for the appropriate individuals to~~
17 ~~provide their written, irrevocable consent for a community college to disclose~~
18 ~~to the Division of Motor Vehicles that the student no longer meets the~~
19 ~~conditions for a driving eligibility certificate under G.S. 20-11(n)(1) or~~
20 ~~G.S. 20-11(n1), if applicable, in the event that this disclosure is necessary to~~
21 ~~comply with G.S. 20-11 or G.S. 20-13.2. Other than identifying under which~~
22 ~~statutory subsection the student is no longer eligible, no other details or~~
23 ~~information concerning the student's school record shall be released pursuant~~
24 ~~to this consent.~~
- 25 (b) ~~In order to make instruction as accessible as possible to all citizens, the teaching of~~
26 ~~curricular courses and of noncurricular extension courses at convenient locations away from~~
27 ~~institution campuses as well as on campuses is authorized and shall be encouraged. A pro rata~~
28 ~~portion of the established regular tuition rate charged a full time student shall be charged a~~
29 ~~part-time student taking any curriculum course. In lieu of any tuition charge, the State Board of~~
30 ~~Community Colleges shall establish a uniform registration fee, or a schedule of uniform~~
31 ~~registration fees, to be charged students enrolling in extension courses for which instruction is~~
32 ~~financed primarily from State funds. The State Board of Community Colleges may provide by~~
33 ~~general and uniform regulations for waiver of tuition and registration fees for the following:~~
- 34 (1) ~~Persons not enrolled in elementary or secondary schools taking courses~~
35 ~~leading to a high school diploma or equivalent certificate.~~
- 36 (2) ~~Courses requested by the following entities that support the organizations'~~
37 ~~training needs and are on a specialized course list approved by the State Board~~
38 ~~of Community Colleges:~~
- 39 a. ~~Volunteer fire departments.~~
- 40 b. ~~Municipal, county, or State fire departments.~~
- 41 c. ~~Volunteer EMS or rescue and lifesaving departments.~~
- 42 d. ~~Municipal, county, or State EMS or rescue and lifesaving departments.~~
- 43 d1. ~~Law enforcement, fire, EMS or rescue and lifesaving entities serving~~
44 ~~a lake authority that was created by a county board of commissioners~~
45 ~~prior to July 1, 2012.~~
- 46 e. ~~Radio Emergency Associated Communications Teams (REACT)~~
47 ~~under contract to a county as an emergency response agency.~~
- 48 f. ~~Municipal, county, or State law enforcement agencies.~~
- 49 f1. ~~Campus police agencies of private institutions of higher education~~
50 ~~certified by the Attorney General pursuant to Chapter 74G of the~~
51 ~~General Statutes.~~

- 1 g. ~~The Division of Prisons of the Department of Adult Correction and the~~
2 ~~Division of Juvenile Justice of the Department of Public Safety for the~~
3 ~~training of full-time custodial employees and employees of the~~
4 ~~Divisions required to be certified under Article 1 of Chapter 17C of~~
5 ~~the General Statutes and the rules of the Criminal Justice and Training~~
6 ~~Standards Commission.~~
- 7 h. ~~Repealed by Session Laws 2017-186, s. 2(hhhhh), effective December~~
8 ~~1, 2017.~~
- 9 i. ~~The Eastern Band of Cherokee Indians law enforcement, fire, EMS or~~
10 ~~rescue and lifesaving tribal government departments or programs.~~
- 11 j. ~~The Criminal Justice Standards Division of the Department of Justice~~
12 ~~for the training of criminal justice professionals, as defined in~~
13 ~~G.S. 17C-20(6), who are required to be certified under (i) Article 1 of~~
14 ~~Chapter 17C of the General Statutes and the rules of the North~~
15 ~~Carolina Criminal Justice Education and Training Standards~~
16 ~~Commission or (ii) Chapter 17E of the General Statutes and the rules~~
17 ~~of the North Carolina Sheriffs' Education and Training Standards~~
18 ~~Commission. The waivers provided for in this sub-subdivision apply~~
19 ~~to participants and recent graduates of the North Carolina Criminal~~
20 ~~Justice Fellows Program to obtain certifications for eligible criminal~~
21 ~~justice professions as defined in G.S. 17C-20(6).~~
- 22 (2a) ~~Firefighters, EMS personnel, and rescue and lifesaving personnel whose duty~~
23 ~~station is located on a military installation within North Carolina for courses~~
24 ~~that support their organizations' training needs and are approved for this~~
25 ~~purpose by the State Board of Community Colleges.~~
- 26 (3) ~~Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.~~
- 27 (4) ~~Trainees enrolled in courses conducted under the Customized Training~~
28 ~~Program.~~
- 29 (5) ~~through (9) Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1,~~
30 ~~2011.~~
- 31 (10) ~~Elementary and secondary school employees enrolled in courses in first aid or~~
32 ~~cardiopulmonary resuscitation (CPR).~~
- 33 (11) ~~Repealed by Session Laws 2013-360, s. 10.6, effective July 1, 2013.~~
- 34 (12) ~~All courses taken by high school students at community colleges, in~~
35 ~~accordance with G.S. 115D-20(4) and this section.~~
- 36 (13) ~~Human resources development courses for any individual who (i) is~~
37 ~~unemployed; (ii) has received notification of a pending layoff; (iii) is working~~
38 ~~and is eligible for the Federal Earned Income Tax Credit (FEITC); or (iv) is~~
39 ~~working and earning wages at or below two hundred percent (200%) of the~~
40 ~~federal poverty guidelines.~~
- 41 (14) ~~Repealed by Session Laws 2011-145, s. 8.12(a), effective July 1, 2011.~~
- 42 (15) ~~Courses providing employability skills, job-specific occupational or technical~~
43 ~~skills, or developmental education instruction to certain students who are~~
44 ~~concurrently enrolled in an eligible community college literacy course, in~~
45 ~~accordance with rules adopted by the State Board of Community Colleges.~~
- 46 (16) ~~Courses provided to students who are participating in a pre-apprenticeship or~~
47 ~~apprenticeship program that meets all of the following criteria:~~
- 48 a. ~~Meets one of the following:~~
- 49 1. ~~Is a registered apprenticeship program recognized by the~~
50 ~~United States Department of Labor.~~

2. ~~Is a pre-apprenticeship program recognized and approved by the State agency administering the statewide apprenticeship program.~~

- b. ~~Has a documented plan of study with courses relating to a job-specific occupational or technical skill.~~
- e. ~~Requires the participants in the program to be North Carolina high school students when entering the program.~~

~~The State Board of Community Colleges shall not waive tuition and registration fees for other individuals.~~

~~(b1) The State Board of Community Colleges shall not waive tuition and registration fees for community college faculty or staff members. Community colleges may, however, use State or local funds to pay tuition and registration fees for one course per semester for full-time community college faculty or staff members employed for a nine-, ten-, eleven-, or twelve-month term. Community colleges may also use State and local funds to pay tuition and registration fees for professional development courses and for other courses consistent with the academic assistance program authorized by the State Human Resources Commission.~~

~~(b2) Beginning February 1, 2018, and annually thereafter, the Community Colleges System Office shall report to the Joint Legislative Education Oversight Committee on the number and type of waivers granted pursuant to subsection (b) of this section.~~

~~(c) No course of instruction shall be offered by any community college at State expense or partial State expense to any captive or co-opted group of students, as defined by the State Board of Community Colleges, without prior approval of the State Board of Community Colleges. All course offerings approved for State prison inmates or prisoners in local jails must be tied to clearly identified job skills, transition needs, or both. Approval by the State Board of Community Colleges shall be presumed to constitute approval of both the course and the group served by that institution. The State Board of Community Colleges may delegate to the President the power to make an initial approval, with final approval to be made by the State Board of Community Colleges. A course taught without such approval will not yield any full-time equivalent students, as defined by the State Board of Community Colleges.~~

~~(c1) Community colleges shall report full-time equivalent (FTE) student hours for correction education programs on the basis of student membership hours. No community college shall operate a multi-entry/multi-exit class or program in a prison facility, except for a literacy class or program.~~

~~The State Board shall work with the Division of Adult Correction and Juvenile Justice of the Department of Public Safety on offering classes and programs that match the average length of stay of an inmate in a prison facility.~~

~~(c2) Courses in federal prisons shall not earn regular budget full-time equivalents, but may be offered on a self-supporting basis.~~

~~(c3) Funds appropriated for community college courses for prison inmates shall be used only for inmates in State prisons. The first priority for the use of these funds shall be to restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this purpose may be used for continuing education and curriculum courses related to job skills training.~~

~~(d) Recodified as G.S. 115D-5.1(a) by Session Laws 2005-276, s. 8.4(a), effective July 1, 2005.~~

~~(e) Repealed by Session Laws 1999-84, s. 3, effective May 21, 1999.~~

~~(f) A community college may not offer a new program without the approval of the State Board of Community Colleges except that approval shall not be required if the tuition for the program will fully cover the cost of the program. If at any time tuition fails to fully cover the cost of a program that falls under the exception, the program shall be discontinued unless approved by the State Board of Community Colleges. If a proposed new program would serve more than one community college, the State Board of Community Colleges shall perform a feasibility study~~

1 prior to acting on the proposal. The State Board of Community Colleges shall consider whether
2 a regional approach can be used when developing new programs and, to the extent possible, shall
3 initiate new programs on a regional basis.

4 The State Board of Community Colleges shall collect data on an annual basis on all new
5 programs and program terminations it approved and any regionalization of programs during the
6 year, including the specific reasons for which each program was terminated or approved.

7 (f1) The State Board shall adopt a policy requiring community colleges to be accredited
8 in accordance with G.S. 115D-6.2.

9 (g) Funds appropriated to the Community Colleges System Office as operating expenses
10 for allocation to the institutions comprising the North Carolina Community College System shall
11 not be used to support recreation extension courses. The financing of these courses by any
12 institution shall be on a self-supporting basis, and membership hours produced from these
13 activities shall not be counted when computing full-time equivalent students (FTE) for use in
14 budget funding formulas at the State level.

15 (h) Whenever a community college offers real estate continuing education courses
16 pursuant to G.S. 93A-4.1, the courses shall be offered on a self-supporting basis.

17 (i) Recodified as G.S. 115D-5.1(c) by Session Laws 2005-276, s. 8.4(a), effective July
18 1, 2005.

19 (j) The State Board of Community Colleges shall use its Board Reserve Fund for
20 feasibility studies, pilot projects, start-up of new programs, and innovative ideas.

21 (k) Recodified as G.S. 115D-5.1(b) by Session Laws 2005-276, s. 8.4(a), effective July
22 1, 2005.

23 (l) The State Board shall review and approve lease purchase and installment purchase
24 contracts as provided under G.S. 115D-58.15(b). The State Board shall adopt policies and
25 procedures governing the review and approval process.

26 (m) The State Board of Community Colleges shall maintain an accountability function
27 that conducts periodic reviews of each community college operating under the provisions of this
28 Chapter. The purpose of the compliance review shall be to ensure that (i) data used to allocate
29 State funds among community colleges is reported accurately to the System Office and (ii)
30 community colleges are charging and waiving tuition and registration fees consistent with law.
31 The State Board of Community Colleges shall require the use of a statistically valid sample size
32 in performing compliance reviews of community colleges. All compliance review findings that
33 are determined to be material shall be forwarded to the college president, local college board of
34 trustees, the State Board of Community Colleges, and the State Auditor. The State Board of
35 Community Colleges shall adopt rules governing the frequency, scope, and standard of
36 materiality for compliance reviews.

37 (n) The North Carolina Community Colleges System Office shall provide the Department
38 of Revenue with a list of all community colleges, including name, address, and other identifying
39 information requested by the Department of Revenue. The North Carolina Community Colleges
40 System Office shall update this list whenever there is a change.

41 (o) All multicampus centers approved by the State Board of Community Colleges shall
42 receive funding under the same formula. The State Board of Community Colleges shall not
43 approve any additional multicampus centers without identified recurring sources of funding. A
44 community college facility shall be considered a multicampus center if it meets all of the
45 following criteria:

46 (1) Is at least 4 miles away from the main campus of the community college and
47 other multicampus center locations.

48 (2) Any other criteria established by the State Board.

49 (p) The North Carolina Community College System may offer courses, in accordance
50 with Article 17D of Subchapter V of Chapter 115C of the General Statutes, to individuals who
51 choose to enter the teaching profession through residency licensure.

1 (q) ~~Repealed by Session Laws 2009-451, s. 8.9, effective July 1, 2009.~~

2 (r) ~~The State Board of Community Colleges shall develop curriculum and continuing~~
3 ~~education standards for courses of instruction in American Sign Language and shall encourage~~
4 ~~community colleges to offer courses in American Sign Language as a modern foreign language.~~

5 (s) ~~The State Board of Community Colleges may establish, retain and budget fees~~
6 ~~charged to students taking an adult high school equivalency diploma test, including fees for~~
7 ~~retesting. Fees collected for this purpose shall be used only to (i) offset the costs of the test,~~
8 ~~including the cost of scoring the test, (ii) offset the costs of printing adult high school equivalency~~
9 ~~diplomas, and (iii) meet federal and State reporting requirements related to the test.~~

10 (t) ~~The purpose of the first semester of the Gateway to College Program is to address~~
11 ~~additional support to successfully complete the program. Students may need to take~~
12 ~~developmental courses necessary for the transition to more challenging courses; therefore, the~~
13 ~~State Board of Community Colleges shall (i) permit high school students who are enrolled in~~
14 ~~Gateway to College Programs to enroll in developmental courses based on an assessment of their~~
15 ~~individual student needs by a high school and community college staff team and (ii) include this~~
16 ~~coursework in computing the budget FTE for the colleges.~~

17 (u) ~~The State Board of Community Colleges shall direct each community college to adopt~~
18 ~~a policy that authorizes a minimum of two excused absences each academic year for religious~~
19 ~~observances required by the faith of a student. The policy may require that the student provide~~
20 ~~written notice of the request for an excused absence a reasonable time prior to the religious~~
21 ~~observance. The policy shall also provide that the student shall be given the opportunity to make~~
22 ~~up any tests or other work missed due to an excused absence for a religious observance.~~

23 (v) ~~Community colleges may teach curriculum courses at any time during the year,~~
24 ~~including the summer term. Student membership hours from these courses shall be counted when~~
25 ~~computing full-time equivalent students (FTE) for use in budget funding formulas at the State~~
26 ~~level.~~

27 (w) ~~The State Board of Community Colleges shall review, at least every five years,~~
28 ~~service areas that include counties assigned to more than one community college to determine~~
29 ~~the feasibility of continuing to assign those counties to more than one community college. The~~
30 ~~State Board shall revise service areas as needed to ensure that counties are served effectively.~~
31 ~~The first review and any revisions shall be completed no later than March 1, 2016, and the State~~
32 ~~Board shall report its findings and any revisions to the Joint Legislative Education Oversight~~
33 ~~Committee no later than March 1, 2016. All subsequent reviews and revisions shall also be~~
34 ~~submitted to the Committee.~~

35 (x) ~~In addition to the evaluation of cooperative innovative high schools by the State Board~~
36 ~~of Education pursuant to G.S. 115C-238.55, the State Board of Community Colleges, in~~
37 ~~conjunction with the State Board of Education and the Board of Governors of The University of~~
38 ~~North Carolina, shall evaluate the success of students participating in the Career and College~~
39 ~~Promise Program, including the College Transfer pathway and the Career and Technical~~
40 ~~Education pathway. Success shall be measured by high school retention rates, high school~~
41 ~~completion rates, high school dropout rates, certification and associate degree completion,~~
42 ~~admission to four-year institutions, postgraduation employment in career or study-related fields,~~
43 ~~and employer satisfaction of employees who participated in the programs. The evaluation shall~~
44 ~~also include an analysis of the cost of students participating in each of the programs within the~~
45 ~~Career and College Promise Program, including at least the following:~~

- 46 (1) ~~Total enrollment funding, the number of budgeted full-time equivalent~~
47 ~~students, and the number of students enrolled in courses through cooperative~~
48 ~~innovative high schools, the College Transfer pathway, and the Career and~~
49 ~~Technical Education pathway.~~

- 1 (2) The cost and number of waivers of tuition and registration fees provided for
2 students enrolled in courses through cooperative innovative high schools, the
3 College Transfer pathway, and the Career and Technical Education pathway.
4 (3) Any additional costs of a student attending courses on campus if a student is
5 not attending public school in a local school administrative unit for the
6 majority of the student's instructional time.

7 The Boards shall jointly report by March 15 of each year to the Joint Legislative Education
8 Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the
9 House Appropriations Committee on Education, and the Fiscal Research Division of the General
10 Assembly. The report shall be combined with the evaluation of cooperative innovative high
11 schools required by G.S. 115C 238.55, and the Community Colleges System Office shall be
12 responsible for submitting the combined report.

13 (y) The State Board of Community Colleges shall adopt a policy to be applied uniformly
14 throughout the Community College System to provide that any student enrolled in a community
15 college who is a National Guard service member placed onto State active duty status during an
16 academic term shall be given an excused absence for the period of time the student is on active
17 duty. The policy shall further provide all of the following:

- 18 (1) The student shall be given the opportunity to make up any test or other work
19 missed during the excused absence.
20 (2) The student shall be given the option, when feasible, to continue classes and
21 coursework during the academic term through online participation for the
22 period of time the student is placed on active duty.
23 (3) The student shall be given the option of receiving a temporary grade of
24 "incomplete (IN)" or "absent from the final exam (AB)" for any course that
25 the student was unable to complete as a result of being placed on State active
26 duty status; however, the student must complete the course requirements
27 within the period of time specified by the community college to avoid
28 receiving a failing grade for the course.
29 (4) The student shall be permitted to drop, with no penalty, any course that the
30 student was unable to complete as a result of being placed on State active duty
31 status.

32 (z) The State Board of Community Colleges shall monitor community colleges for
33 compliance with Article 38 of Chapter 116 of the General Statutes. If the State Board determines
34 that a community college is in violation of Article 38, it shall report the identity of the community
35 college to the Joint Legislative Education Oversight Committee.

36 "~~§ 115D-5.1. Workforce Development Programs.~~

37 (a) Community colleges shall assist in the preemployment and in service training of
38 employees in industry, business, agriculture, health occupation and governmental agencies. Such
39 training shall include instruction on worker safety and health standards and practices applicable
40 to the field of employment. The State Board of Community Colleges shall make appropriate
41 regulations including the establishment of maximum hours of instruction which may be offered
42 at State expense in each in plant training program. No instructor or other employee of a
43 community college shall engage in the normal management, supervisory and operational
44 functions of the establishment in which the instruction is offered during the hours in which the
45 instructor or other employee is employed for instructional or educational purposes.

46 (b) through (d) Repealed by Session Laws 2008-107, s. 8.7(a), effective July 1, 2008.

47 (e) There is created within the North Carolina Community College System the
48 Customized Training Program. The Customized Training Program shall offer programs and
49 training services to assist new and existing business and industry to remain productive, profitable,
50 and within the State. Before a business or industry qualifies to receive assistance under the

1 Customized Training Program, the President of the North Carolina Community College System
2 shall determine that:

3 (1) The business is making an appreciable capital investment;

4 (2) The business is deploying new technology;

5 (2a) The business or individual is creating jobs, expanding an existing workforce,
6 or enhancing the productivity and profitability of the operations within the
7 State; and

8 (3) The skills of the workers will be enhanced by the assistance.

9 (f) The Community Colleges System Office shall report no later than September 1 of
10 each year to the Joint Legislative Education Oversight Committee on:

11 (1) The total amount of funds received by a company under the Customized
12 Training Program.

13 (1a) The types of services sought by the company, whether for new, expanding, or
14 existing industry.

15 (2) The amount of funds per trainee received by that company.

16 (3) The amount of funds received per trainee by the community college delivering
17 the training.

18 (4) The number of trainees trained by the company and community college.

19 (5) The number of years that company has been funded.

20 (f1) Notwithstanding any other provision of law, the State Board of Community Colleges
21 may adopt guidelines that allow the Customized Training Program to use funds appropriated for
22 that program to support training projects for the various branches of the Armed Forces of the
23 United States.

24 (f2) Funds available to the Customized Training Program shall not revert at the end of a
25 fiscal year but shall remain available until expended. Up to ten percent (10%) of the
26 college-delivered training expenditures and up to five percent (5%) of the contractor-delivered
27 training expenditures for the prior fiscal year for Customized Training may be allotted to each
28 college for capacity building at that college.

29 (f3) Of the funds appropriated in a fiscal year for the Customized Training Programs, the
30 State Board of Community Colleges may approve the use of up to eight percent (8%) for the
31 training and support of regional community college personnel to deliver Customized Training
32 Program services to business and industry.

33 (g) The State Board shall adopt guidelines to implement this section. At least 20 days
34 before the effective date of any criteria or nontechnical amendments to guidelines, the State
35 Board must publish the proposed guidelines on the Community Colleges System Office's web
36 site and provide notice to persons who have requested notice of proposed guidelines. In addition,
37 the State Board must accept oral and written comments on the proposed guidelines during the 15
38 business days beginning on the first day that the State Board has completed these notifications.
39 For the purpose of this subsection, a technical amendment is either of the following:

40 (1) An amendment that corrects a spelling or grammatical error.

41 (2) An amendment that makes a clarification based on public comment and could
42 have been anticipated by the public notice that immediately preceded the
43 public comment.

44 ~~"§ 115D-5.1A. Short-Term Workforce Development Grant Program.~~

45 (a) ~~Program Established.~~— There is established the North Carolina Community College
46 Short-Term Workforce Development Grant Program (Program) to be administered by the State
47 Board of Community Colleges. The State Board shall adopt rules for the disbursement of the
48 grants pursuant to this section.

49 (b) ~~Programs of Study.~~— The State Board of Community Colleges, in collaboration with
50 the Department of Commerce, shall determine the eligible programs of study for the Program,
51 according to the occupations that are in the highest demand in the State. The eligible programs

1 of study shall include programs such as architecture and construction, health sciences,
2 information technology, electrical line worker, and manufacturing programs and may include
3 other programs to meet local workforce needs.

4 (e) Award Amounts. — To the extent funds are made available for the Program, the State
5 Board of Community Colleges shall award grants in an amount of up to seven hundred fifty
6 dollars (\$750.00) to students pursuing short term, noncredit State and industry workforce
7 credentials. The State Board of Community Colleges shall establish criteria for initial and
8 continuing eligibility for students. At a minimum, students shall be required to qualify as a
9 resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with
10 the coordinated and centralized residency determination process administered by the State
11 Education Assistance Authority.

12 (d) Report. — The State Board shall submit a report by April 1, 2024, and annually
13 thereafter, on the Program to the Joint Legislative Education Oversight Committee and the Fiscal
14 Research Division. The report shall contain, for each academic year and by programs of study,
15 the amount of grant funds disbursed and the number of eligible students receiving funds.

16 **"§ 115D-5.2. Commercial fishing and aquaculture classes.**

17 (a) The General Assembly urges all community colleges serving the coastal area of the
18 State to offer classes on commercial fishing and aquaculture.

19 (b) The North Carolina Community Colleges System Office shall provide technical
20 assistance to these colleges on offering such classes.

21 (c) The North Carolina Community Colleges System Office shall report to the Joint
22 Legislative Education Oversight Committee on any fiscal and administrative issues it identifies
23 that limit colleges' ability to offer such courses.

24 **"§ 115D-5.5. Board Reserve Fund.**

25 The State Board of Community Colleges shall use its Board Reserve Fund for feasibility
26 studies, pilot projects, start-up of new programs, and innovative ideas.

27 "Part 2. Administration of Local Community Colleges by State Board of Community Colleges.

28 **"§ 115D-6. Withdrawal of State support.**

29 The State Board of Community Colleges may withdraw or withhold State financial and
30 administrative support of any institutions subject to the provisions of this Chapter in the event
31 ~~that~~ of any of the following:

- 32 (1) The required local financial support of an institution is not ~~provided~~; provided.
- 33 (2) Sufficient State funds are not ~~available~~; available.
- 34 (3) The officials of an institution refuse or are unable to maintain prescribed
35 standards of administration or ~~instruction~~; or instruction.
- 36 (4) Local educational needs for such an institution cease to exist.

37 **"§ 115D-6.1. Administration of institutions.**

38 (a) Policies. — The State Board of Community Colleges may adopt and execute such
39 policies, regulations, and standards concerning the establishment, administration, and operation
40 of institutions as the State Board may deem necessary to ensure the quality of educational
41 programs, to promote the systematic meeting of educational needs of the State, and to provide
42 for the equitable distribution of State and federal funds to the several institutions.

43 (b) Authority. — The State Board shall have the following authority with respect to
44 individual institutions:

- 45 (1) To approve sites, capital improvement projects, and budgets.
- 46 (2) To approve the selection of the chief administrative officer.
- 47 (3) To establish and administer standards for professional personnel, curricula,
48 admissions, and graduation.
- 49 (4) To regulate the awarding of degrees, diplomas, and certificates.
- 50 (5) To establish and regulate student tuition and fees within policies for tuition
51 and fees established by the General Assembly.

1 (6) To establish and regulate financial accounting procedures.

2 (c) Salaries. – The State Board shall establish standards and scales for salaries and
3 allotments paid from funds administered by the State Board, and all employees of the institutions
4 shall be exempt from the provisions of the North Carolina Human Resources Act. Any and all
5 salary caps set by the State Board for community college presidents shall apply only to the
6 State-paid portion of the salary. Except as otherwise provided by law, the employer contribution
7 rate on the local-paid portion of the salary, to be paid from local funds, shall be set by the State
8 Treasurer based on actuarial recommendations.

9 (d) Faculty Credentials. – The State Board of Community Colleges shall require each
10 community college to meet the faculty credential requirements of its accrediting agency for all
11 community college programs.

12 **"§ 115D-6.2. Accreditation. Accreditation policy.**

13 The State Board of Community Colleges shall adopt a policy requiring community colleges
14 to be accredited in accordance with G.S. 115D-21.2.

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

16 (1) Accreditation cycle. – The period of time during which a community college
17 is accredited.

18 (2) Accrediting agency. – An agency or association that accredits institutions of
19 higher education.

20 (3) Regional accrediting agency. – One of the following accrediting agencies:

21 a. Higher Learning Commission.

22 b. Middle States Commission on Higher Education.

23 c. New England Commission on Higher Education.

24 d. Northwest Commission on Colleges and Universities.

25 e. Southern Association of Colleges and Schools Commission on
26 Colleges.

27 f. Western Association of Schools and Colleges Accrediting
28 Commission for Community and Junior Colleges.

29 (b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A community
30 college shall not receive accreditation by an accrediting agency for consecutive accreditation
31 cycles except as provided in subsection (c) of this section.

32 (c) Accreditation Transfer Procedure. – A community college that pursues accreditation
33 with a different accrediting agency in accordance with this section shall pursue accreditation with
34 a regional accrediting agency. If the community college is not granted candidacy status by any
35 regional accrediting agency that is different from its current accrediting agency at least three
36 years prior to the expiration of its current accreditation, the community college may remain with
37 its current accrediting agency for an additional accreditation cycle.

38 (d) Certain Programs Exempt. – The requirements of this section do not apply to
39 professional, departmental, or certificate programs at community colleges that have specific
40 accreditation requirements or best practices, as identified by the State Board of Community
41 Colleges.

42 (e) Cause of Action. – A community college may bring a civil action, as follows:

43 (1) Against any person who makes a false statement to the accrediting agency of
44 the community college, if all of the following criteria are met:

45 a. The statement, if true, would mean the community college is out of
46 compliance with its accreditation standards.

47 b. The person made the statement with knowledge that the statement was
48 false or with reckless disregard as to whether it was false.

49 c. The accrediting agency conducted a review of the community college
50 as a proximate result of the statement.

51 d. The review caused the community college to incur costs.

- 1 (2) A community college that prevails on a cause of action initiated pursuant to
 2 this subsection shall be entitled to the following:
 3 a. ~~Costs related to the review conducted by the accrediting agency,~~
 4 including for the following:
 5 1. Additional hours worked by community college personnel.
 6 2. Contracted services, including outside legal counsel.
 7 3. Travel, lodging, and food expenses.
 8 4. Fees required by the agency.
 9 b. Reasonable attorney fees.
 10 c. Court costs.

11 **"§ 115D-6.5. Notice of noncompliance; appointment of an interim board of trustees.**

12 ...

13 (c) Interim Board Assumption of Powers and Duties. – The adoption of the resolution to
 14 remove the full board under this section shall have the effect of vacating the terms of all of the
 15 members serving on the board of trustees. Notwithstanding G.S. 115D-12, the State Board of
 16 Community Colleges shall appoint an interim five-member board of trustees for a period not to
 17 exceed 12 months with input from the advisory committee listed in subsection (a) of this section.
 18 To preserve local autonomy, the appointing authorities of the local administrative area of the
 19 community college under G.S. 115D-12 shall make recommendations to the State Board on the
 20 appointment of the members to the interim board of trustees. All appointees to the interim board
 21 of trustees shall be residents of the administrative area of the institution for which they are
 22 selected or of counties contiguous thereto with the exception of members provided for in
 23 subsection (a) of G.S. 115D-12, Group Four. G.S. 115D-12(a)(3). At the end of the period of
 24 service of the interim board of trustees, a board of trustees for the community college shall be
 25 appointed in accordance with G.S. 115D-12. Initial terms of members of the new board of
 26 trustees shall be staggered to align with the remainder of the vacated terms of the members of the
 27 board of trustees.

28 ...

29 **"§ 115D-9.5. Bookstore sales.**

30 Notwithstanding G.S. 66-58(c)(3) or any other provisions of law, the State Board of
 31 Community Colleges may adopt rules governing the expenditure of funds derived from bookstore
 32 sales by community colleges. These expenditures shall be consistent with the mission and
 33 purpose of the Community College System. Profits may be used in the support and enhancement
 34 of the bookstores, for student aid or scholarships, for expenditures of direct benefit to students,
 35 and for other similar expenditures authorized by the board of trustees, subject to rules adopted
 36 by the State Board. These funds shall not be used to supplement salaries of any personnel.

37 **"§ 115D-9.10. Exchange of information with The University of North Carolina and North**
 38 **Carolina public schools.**

39 The State Board of Community Colleges shall comply with the provisions of
 40 G.S. 116-11(10a) to plan and implement an exchange of information between the public schools
 41 and the institutions of higher education in the State.

42 **"§ 115D-9.15. Lease purchase and installment purchase contracts.**

43 The State Board of Community Colleges shall review and approve lease purchase and
 44 installment purchase contracts as provided under G.S. 115D-58.15(b). The State Board shall
 45 adopt policies and procedures governing the review and approval process.

46 **"§ 115D-9.20. Compliance review and requested information.**

47 (a) Compliance Review. – The State Board of Community Colleges shall maintain an
 48 accountability function that conducts periodic reviews of each community college operating
 49 under the provisions of this Chapter. The purpose of the compliance review shall be to ensure
 50 that (i) data used to allocate State funds among community colleges is reported accurately to the
 51 System Office and (ii) community colleges are charging and waiving tuition and registration fees

1 consistent with law. The State Board of Community Colleges shall require the use of a
2 statistically valid sample size in performing compliance reviews of community colleges. All
3 compliance review findings that are determined to be material shall be forwarded to the college
4 president, local college board of trustees, the State Board of Community Colleges, and the State
5 Auditor. The State Board of Community Colleges shall adopt rules governing the frequency,
6 scope, and standard of materiality for compliance reviews.

7 (b) Information to Department of Revenue. – The North Carolina Community Colleges
8 System Office shall provide the Department of Revenue with a list of all community colleges,
9 including name, address, and other identifying information requested by the Department of
10 Revenue. The North Carolina Community Colleges System Office shall update this list whenever
11 there is a change.

12 **"§ 115D-9.25. Multicampus centers.**

13 All multicampus centers approved by the State Board of Community Colleges shall receive
14 funding under the same formula. The State Board of Community Colleges shall not approve any
15 additional multicampus centers without identified recurring sources of funding. A community
16 college facility shall be considered a multicampus center if it meets the criteria established by the
17 State Board and is at least 4 miles away from the main campus of the community college and
18 other multicampus center locations.

19 **"§ 115D-9.30. Service areas.**

20 The State Board of Community Colleges shall review, at least every five years, service areas
21 that include counties assigned to more than one community college to determine the feasibility
22 of continuing to assign those counties to more than one community college. The State Board
23 shall revise service areas as needed to ensure that counties are served effectively. The State Board
24 shall report its findings and any revisions to the Joint Legislative Education Oversight Committee
25 within 60 days of revisions being made.

26 **"§ 115D-9.35. Athletic teams.**

27 The State Board of Community Colleges shall monitor community colleges for compliance
28 with Article 38 of Chapter 116 of the General Statutes. If the State Board determines that a
29 community college is in violation of Article 38 of Chapter 116 of the General Statutes, it shall
30 report the identity of the community college to the Joint Legislative Education Oversight
31 Committee.

32 ...

33 **"Part 3. Community College Programs.**

34 **"§ 115D-10.5. Program funding.**

35 (a) New Programs and Terminations of Programs. – A community college may not offer
36 a new program without the approval of the State Board of Community Colleges except that
37 approval shall not be required if the tuition for the program will fully cover the cost of the
38 program. If at any time tuition fails to fully cover the cost of a program that falls under the
39 exception, the program shall be discontinued unless approved by the State Board. If a proposed
40 new program would serve more than one community college, the State Board shall perform a
41 feasibility study prior to acting on the proposal. The State Board shall consider whether a regional
42 approach can be used when developing new programs and, to the extent possible, shall initiate
43 new programs on a regional basis. The State Board shall collect data on an annual basis on all
44 new programs and program terminations it approved and any regionalization of programs during
45 the year, including the specific reasons for which each program was terminated or approved.

46 (b) Recreation Extension Courses. – Funds appropriated to the Community Colleges
47 System Office as operating expenses for allocation to the institutions comprising the North
48 Carolina Community College System shall not be used to support recreation extension courses.
49 The financing of these courses by any institution shall be on a self-supporting basis, and
50 membership hours produced from these activities shall not be counted when computing full-time
51 equivalent students (FTE) for use in budget-funding formulas at the State level.

1 (c) Real Estate Continuing Education Courses. – Whenever a community college offers
2 real estate continuing education courses, the courses shall be offered on a self-supporting basis.

3 **"§ 115D-10.10. College transfer program approval; standards for programs; annual**
4 **reporting requirements.**

5 (a) The State Board of Community Colleges may approve the addition of the college
6 transfer program to a community college. If addition of the college transfer program to an
7 institution would require a substantial increase in funds, State Board approval shall be subject to
8 appropriation of funds by the General Assembly for this purpose.

9 (b) Addition of the college transfer program shall not decrease an institution's ability to
10 provide programs within its basic mission of vocational and technical training and basic academic
11 education.

12 (c) The State Board of Community Colleges shall develop appropriate criteria and
13 standards to regulate the addition of the college transfer program to institutions.

14 (d) The State Board of Community Colleges shall develop appropriate criteria and
15 standards to regulate the operation of college transfer programs.

16 (e) The Board of Governors of The University of North Carolina shall report to each
17 community college and to the State Board of Community Colleges in accordance with
18 G.S. 116-11(10b) on the academic performance of that community college's transfer students. If
19 the State Board of Community Colleges finds that college transfer students from a community
20 college are not consistently performing adequately at a four-year college, the Board shall review
21 the community college's program and determine what steps are necessary to remedy the problem.
22 The Board shall report annually to the General Assembly on the reports it receives and on what
23 steps it is taking to remedy problems that it finds.

24 (f) The Community Colleges System Office shall report annually by April 15 to the Joint
25 Legislative Education Oversight Committee, the State Board of Education, the Office of State
26 Budget and Management, and the Fiscal Research Division of the General Assembly on the
27 implementation of the UNC-NCCCS 2+2 E-Learning Initiative. This report shall include the
28 following:

29 (1) The courses and programs within the 2+2 E-Learning Initiative.

30 (2) The total number of prospective teachers that have taken or are taking part in
31 this initiative to date broken down by the current academic period and each of
32 the previous academic periods since the program's inception.

33 (3) The total number of teachers currently in the State's classrooms, by local
34 school administrative unit, who have taken part in this initiative.

35 (4) The change in the number of teachers available to schools since the program's
36 inception.

37 (5) The qualitative data from students, teachers, local school administrative unit
38 personnel, university personnel, and community college personnel as to the
39 impact of this initiative on our State's teaching pool.

40 (6) An explanation of the expenditures and collaborative programs between the
41 North Carolina Community College System and The University of North
42 Carolina, including recommendations for improvement.

43 **"§ 115D-10.15. Workforce development programs.**

44 Community colleges shall assist in the preemployment and in-service training of employees
45 in industry, business, agriculture, health occupation, and governmental agencies. Such training
46 shall include instruction on worker safety and health standards and practices applicable to the
47 field of employment. The State Board of Community Colleges shall make appropriate
48 regulations, including the establishment of maximum hours of instruction which may be offered
49 at State expense in each in-plant training program. No instructor or other employee of a
50 community college shall engage in the normal management, supervisory, and operational

1 functions of the establishment in which the instruction is offered during the hours in which the
2 instructor or other employee is employed for instructional or educational purposes.

3 **"§ 115D-10.17. Customized Training Program.**

4 (a) There is created within the North Carolina Community College System the
5 Customized Training Program. The Customized Training Program shall offer programs and
6 training services to assist new and existing business and industry to remain productive, profitable,
7 and within the State. Before a business or industry qualifies to receive assistance under the
8 Customized Training Program, the President of the North Carolina Community College System
9 shall determine the following:

10 (1) The business is making an appreciable capital investment.

11 (2) The business is deploying new technology.

12 (3) The business or individual is creating jobs, expanding an existing workforce,
13 or enhancing the productivity and profitability of the operations within the
14 State.

15 (4) The skills of the workers will be enhanced by the assistance.

16 (b) The Community Colleges System Office shall report no later than September 1 of
17 each year to the Joint Legislative Education Oversight Committee on the following:

18 (1) The total amount of funds received by a company under the Customized
19 Training Program.

20 (2) The types of services sought by the company, whether for new, expanding, or
21 existing industry.

22 (3) The amount of funds per trainee received by that company.

23 (4) The amount of funds received per trainee by the community college delivering
24 the training.

25 (5) The number of trainees trained by the company and community college.

26 (6) The number of years that company has been funded.

27 (c) Notwithstanding any other provision of law, the State Board of Community Colleges
28 may adopt guidelines that allow the Customized Training Program to use funds appropriated for
29 that program to support training projects for the various branches of the Armed Forces of the
30 United States.

31 (d) Funds available to the Customized Training Program shall not revert at the end of a
32 fiscal year but shall remain available until expended. Up to ten percent (10%) of the
33 college-delivered training expenditures and up to five percent (5%) of the contractor-delivered
34 training expenditures for the prior fiscal year for Customized Training may be allotted to each
35 college for capacity building at that college.

36 (e) Of the funds appropriated in a fiscal year for the Customized Training Program, the
37 State Board of Community Colleges may approve the use of up to eight percent (8%) for the
38 training and support of regional community college personnel to deliver Customized Training
39 Program services to business and industry.

40 (f) The State Board shall adopt guidelines to implement this section. At least 20 days
41 before the effective date of any criteria or nontechnical amendments to guidelines, the State
42 Board must publish the proposed guidelines on the Community Colleges System Office's website
43 and provide notice to persons who have requested notice of proposed guidelines. In addition, the
44 State Board must accept oral and written comments on the proposed guidelines during the 15
45 business days beginning on the first day that the State Board has completed these notifications.
46 For the purpose of this subsection, a technical amendment is either of the following:

47 (1) An amendment that corrects a spelling or grammatical error.

48 (2) An amendment that makes a clarification based on public comment and could
49 have been anticipated by the public notice that immediately preceded the
50 public comment.

51 **"§ 115D-10.19. Short-Term Workforce Development Grant Program.**

1 (a) Program Established. – There is established the North Carolina Community College
2 Short-Term Workforce Development Grant Program (Program) to be administered by the State
3 Board of Community Colleges. The State Board shall adopt rules for the disbursement of the
4 grants pursuant to this section.

5 (b) Programs of Study. – The State Board of Community Colleges, in collaboration with
6 the Department of Commerce, shall determine the eligible programs of study for the Program,
7 according to the occupations that are in the highest demand in the State. The eligible programs
8 of study shall include programs such as architecture and construction, health sciences,
9 information technology, electrical line worker, and manufacturing programs and may include
10 other programs to meet local workforce needs.

11 (c) Award Amounts. – To the extent funds are made available for the Program, the State
12 Board of Community Colleges shall award grants in an amount of up to seven hundred fifty
13 dollars (\$750.00) to students pursuing short-term, noncredit State and industry workforce
14 credentials. The State Board of Community Colleges shall establish criteria for initial and
15 continuing eligibility for students. At a minimum, students shall be required to qualify as a
16 resident for tuition purposes under the criteria set forth in G.S. 116-143.1 and in accordance with
17 the coordinated and centralized residency determination process administered by the State
18 Education Assistance Authority.

19 (d) Report. – The State Board shall submit a report by April 1 annually on the Program
20 to the Joint Legislative Education Oversight Committee and the Fiscal Research Division. The
21 report shall contain, for each academic year and by programs of study, the amount of grant funds
22 disbursed and the number of eligible students receiving funds.

23 **"§ 115D-10.21. Training programs for students with intellectual and developmental**
24 **disabilities.**

25 (a) The State Board of Community Colleges shall establish a community college training
26 program for up to 15 community colleges. The program shall provide opportunities for
27 micro-credentials or other credentials that lead to increased employment outcomes for
28 individuals with intellectual and developmental disabilities (IDD). To the extent funds are
29 appropriated for this purpose, the program shall improve the ability of participating community
30 colleges to offer training and educational components that include improving employability skills
31 and providing on-the-job training and apprenticeships with business and industry for individuals
32 with IDD. The goal of the program shall be to inform community colleges and address
33 cross-departmental supports within the individual community colleges on programs for
34 individuals with IDD related to at least the following:

- 35 (1) Establishing best practices for providing vocational training for individuals
36 with IDD.
- 37 (2) Providing financial and benefits counseling.
- 38 (3) Developing strategies on integrating assistive technology.
- 39 (4) Maximizing access, with supports, to credential and degree programs,
40 including micro-credentials that are established by the State Board.
- 41 (5) Identifying methods to increase orientation and integration of individuals with
42 IDD into the college community to the greatest extent possible.
- 43 (6) Determining a needs assessment, marketing, and evaluation to serve a broad
44 array of individuals with developmental and other similar disabilities or
45 learning challenges to assure adequate demand for new or existing programs.

46 (b) No later than May 1 of each year, the Community Colleges System Office shall report
47 on the funds appropriated to the System Office for the purposes of this section to the Joint
48 Legislative Education Oversight Committee and the Fiscal Research Division. At a minimum,
49 the report shall address the impact of the program, the use of any additional positions created at
50 community colleges, professional development training for staff, and funding sources identified
51 for individuals with IDD to build programs at community colleges that support postsecondary

1 trainings and certifications that enable individuals with IDD to engage in competitive, sustainable
2 employment.

3 **"§ 115D-10.25. Commercial fishing and aquaculture classes.**

4 (a) The General Assembly urges all community colleges serving the coastal area of the
5 State to offer classes on commercial fishing and aquaculture.

6 (b) The North Carolina Community Colleges System Office shall provide technical
7 assistance to these colleges on offering such classes.

8 (c) The North Carolina Community Colleges System Office shall report to the Joint
9 Legislative Education Oversight Committee on any fiscal and administrative issues it identifies
10 that limit colleges' ability to offer such courses.

11 **"§ 115D-10.30. Correction education programs.**

12 (a) Approval. – No course of instruction shall be offered by any community college at
13 State expense or partial State expense to any captive or co-opted group of students, as defined by
14 the State Board of Community Colleges, without prior approval of the State Board. All course
15 offerings approved for State prison inmates or prisoners in local jails must be tied to clearly
16 identified job skills, transition needs, or both. Approval by the State Board shall be presumed to
17 constitute approval of both the course and the group served by that institution. The State Board
18 may delegate to the President the power to make an initial approval, with final approval to be
19 made by the State Board. A course taught without such approval will not yield any full-time
20 equivalent students, as defined by the State Board. Community colleges shall report full-time
21 equivalent (FTE) student hours for correction education programs on the basis of student
22 membership hours. Funds appropriated for community college courses for prison inmates shall
23 be used only for inmates in State prisons. The first priority for the use of these funds shall be to
24 restore the FTE for basic skills courses to the FY 2008-2009 level. Funds not needed for this
25 purpose may be used for continuing education and curriculum courses related to job skills
26 training. No community college shall operate a multi-entry/multi-exit class or program in a prison
27 facility, except for a literacy class or program. The State Board shall work with the Division of
28 Adult Correction and Juvenile Justice of the Department of Public Safety on offering classes and
29 programs that match the average length of stay of an inmate in a prison facility.

30 (b) Courses in Federal Prisons. – Courses in federal prisons shall not earn regular budget
31 full-time equivalents but may be offered on a self-supporting basis.

32 **"§ 115D-10.35. Teacher residency licensure courses.**

33 The North Carolina Community College System may offer courses, in accordance with
34 Article 17D of Subchapter V of Chapter 115C of the General Statutes, to individuals who choose
35 to enter the teaching profession through residency licensure.

36 **"§ 115D-10.40. American Sign Language courses.**

37 The State Board of Community Colleges shall develop curriculum and continuing education
38 standards for courses of instruction in American Sign Language and shall encourage community
39 colleges to offer courses in American Sign Language as a modern foreign language.

40 **"§ 115D-10.45. Adult high school equivalency diploma test.**

41 The State Board of Community Colleges may establish, retain, and budget fees charged to
42 students taking an adult high school equivalency diploma test, including fees for retesting. Fees
43 collected for this purpose shall be used only to (i) offset the costs of the test, including the cost
44 of scoring the test, (ii) offset the costs of printing adult high school equivalency diplomas, and
45 (iii) meet federal and State reporting requirements related to the test.

46 **"§ 115D-10.50. Motorcycle Safety Instruction Program.**

47 (a) There is created a Motorcycle Safety Instruction Program for the purpose of
48 establishing statewide motorcycle safety instruction to be delivered through the Community
49 Colleges System Office. The Program may be administered by a motorcycle safety coordinator
50 who shall be responsible for the planning, curriculum, and completion requirements of the
51 Program. The State Board of Community Colleges may elect a motorcycle safety coordinator

1 upon nomination of the President of the Community College System, and the compensation of
2 the motorcycle safety coordinator shall be fixed by the State Board upon recommendation of the
3 President of the Community College System pursuant to G.S. 115D-3. The State Board of
4 Community Colleges may contract with an appropriate public or private agency or person to
5 carry out the duties of the motorcycle safety coordinator.

6 (b) The Motorcycle Safety Instruction Program shall be implemented through the
7 Community Colleges System Office at institutions which choose to provide the Program. The
8 motorcycle safety coordinator shall select and facilitate the training and certification of
9 instructors who will implement the Program.

10 "Part 4. Students.

11 "**§ 115D-10.65. Accreditation of secondary school located in North Carolina shall not be a**
12 **factor in admissions, loans, scholarships, or other educational policies.**

13 (a) For purposes of this section, the term "accreditation" shall include certification or any
14 other similar approval process.

15 (b) The State Board of Community Colleges shall adopt a policy that prohibits any
16 community college from soliciting or using information regarding the accreditation of a
17 secondary school located in North Carolina that a person attended as a factor affecting
18 admissions, loans, scholarships, or other educational activity at the community college, unless
19 the accreditation was conducted by a State agency.

20 "**§ 115D-10.70. Driving eligibility certificates.**

21 (a) The State Board of Community Colleges shall adopt the following rules to assist
22 community colleges in their administration of procedures necessary to implement G.S. 20-11 and
23 G.S. 20-13.2:

24 (1) To establish the procedures a person who is or was enrolled in a community
25 college must follow and the requirements that person must meet to obtain a
26 driving eligibility certificate.

27 (2) To require the person who is required under G.S. 20-11(n) to sign the driving
28 eligibility certificate to provide the certificate if he or she determines that one
29 of the following requirements is met:

30 a. The person seeking the certificate is eligible for the certificate under
31 G.S. 20-11(n)(1) and is not subject to G.S. 20-11(n1).

32 b. The person seeking the certificate is eligible for the certificate under
33 G.S. 20-11(n)(1) and G.S. 20-11(n1).

34 (3) To provide for an appeal through the grievance procedures established by the
35 board of trustees of each community college by a person who is denied a
36 driving eligibility certificate.

37 (4) To define exemplary student behavior and to define what constitutes the
38 successful completion of a drug or alcohol treatment counseling program.

39 (b) The State Board shall develop policies as to when it is appropriate to notify the
40 Division of Motor Vehicles that a person who is or was enrolled in a community college no
41 longer meets the requirements for a driving eligibility certificate. The State Board also shall adopt
42 guidelines to assist the presidents of community colleges in their designation of representatives
43 to sign driving eligibility certificates.

44 (c) The State Board shall develop a form for the appropriate individuals to provide their
45 written, irrevocable consent for a community college to disclose to the Division of Motor
46 Vehicles that the student no longer meets the conditions for a driving eligibility certificate under
47 G.S. 20-11(n)(1) or G.S. 20-11(n1), if applicable, in the event that this disclosure is necessary to
48 comply with G.S. 20-11 or G.S. 20-13.2. Other than identifying under which statutory subsection
49 the student is no longer eligible, no other details or information concerning the student's school
50 record shall be released pursuant to this consent.

51 "**§ 115D-10.75. Excused absences for religious observances.**

1 The State Board of Community Colleges shall direct each community college to adopt a
 2 policy that authorizes a minimum of two excused absences each academic year for religious
 3 observances required by the faith of a student. The policy may require that the student provide
 4 written notice of the request for an excused absence a reasonable time prior to the religious
 5 observance. The policy shall also provide that the student shall be given the opportunity to make
 6 up any tests or other work missed due to an excused absence for a religious observance.

7 **"§ 115D-10.76. Excused absences for National Guard service members.**

8 The State Board of Community Colleges shall adopt a policy to be applied uniformly
 9 throughout the Community College System to provide that any student enrolled in a community
 10 college who is a National Guard service member placed onto State active duty status during an
 11 academic term shall be given an excused absence for the period of time the student is on active
 12 duty. The policy shall further provide all of the following:

- 13 (1) The student shall be given the opportunity to make up any test or other work
 14 missed during the excused absence.
 15 (2) The student shall be given the option, when feasible, to continue classes and
 16 coursework during the academic term through online participation for the
 17 period of time the student is placed on active duty.
 18 (3) The student shall be given the option of receiving a temporary grade of
 19 "incomplete (IN)" or "absent from the final exam (AB)" for any course that
 20 the student was unable to complete as a result of being placed on State active
 21 duty status; however, the student must complete the course requirements
 22 within the period of time specified by the community college to avoid
 23 receiving a failing grade for the course.
 24 (4) The student shall be permitted to drop, with no penalty, any course that the
 25 student was unable to complete as a result of being placed on State active duty
 26 status."

27 **SECTION 6.5.(b)** G.S. 115D-20(4) reads as rewritten:

- 28 "(4) To apply the standards and requirements for admission and graduation of
 29 students and other standards established by the State Board of Community
 30 Colleges. ~~Notwithstanding any law or administrative rule to the contrary, local~~
 31 ~~community colleges are permitted to offer the following programs:~~
 32 a. ~~Subject to the approval of the State Board of Community Colleges,~~
 33 ~~local community colleges may collaborate with public school units~~
 34 ~~and nonpublic schools to offer courses through the following~~
 35 ~~programs:~~
 36 1. ~~Repealed by Session Laws 2022-71, s. 3.2, effective July 8,~~
 37 ~~2022.~~
 38 2. ~~Academic transition pathways for qualified junior and senior~~
 39 ~~high school students that lead to a career technical education~~
 40 ~~certificate, diploma, or State or industry recognized credential~~
 41 ~~and academic transition pathways for qualified freshmen and~~
 42 ~~sophomore high school students that lead to a career technical~~
 43 ~~education certificate or diploma in (i) industrial and~~
 44 ~~engineering technologies, (ii) agriculture and natural~~
 45 ~~resources, (iii) transportation technology, (iv) construction, or~~
 46 ~~(v) business technologies.~~
 47 3. ~~College transfer pathways requiring the successful completion~~
 48 ~~of 30 semester credit hours of transfer courses, including~~
 49 ~~English and mathematics, for the following students:~~
 50 I. ~~Qualified junior and senior high school students.~~

- 1 H. ~~Qualified freshman and sophomore high school~~
 2 ~~students, if all of the following requirements are met:~~
 3 A. ~~The student is determined to be academically~~
 4 ~~gifted, have a demonstrated readiness for the~~
 5 ~~course material, and have the maturity to justify~~
 6 ~~admission to the community college by (i) the~~
 7 ~~community college president, (ii) the student's~~
 8 ~~high school principal or equivalent~~
 9 ~~administrator, and (iii) the academically gifted~~
 10 ~~coordinator, if one is employed by the high~~
 11 ~~school or local school administrative unit.~~
 12 B. ~~The student participates in academic advising~~
 13 ~~focused on the implications of being admitted~~
 14 ~~to college early with representatives from the~~
 15 ~~high school and the community college.~~
 16 C. ~~The student's parent or guardian has given~~
 17 ~~consent for the student to participate.~~
 18 a1. ~~Subject to the approval of the State Board of Community Colleges,~~
 19 ~~local community colleges may collaborate with local school~~
 20 ~~administrative units to offer cooperative innovative high school~~
 21 ~~programs, as provided by Part 9 of Article 16 of Chapter 115C of the~~
 22 ~~General Statutes.~~
 23 b. ~~During the summer quarter, persons less than 16 years old may be~~
 24 ~~permitted to take noncredit courses on a self-supporting basis, subject~~
 25 ~~to rules of the State Board of Community Colleges.~~
 26 e. ~~High school students may be permitted to take noncredit courses in~~
 27 ~~safe driving on a self-supporting basis during the academic year or the~~
 28 ~~summer.~~
 29 d. ~~High school students 16 years and older may be permitted to take~~
 30 ~~noncredit courses, except adult basic skills, subject to rules~~
 31 ~~promulgated by the State Board of Community Colleges.~~
 32 e. ~~Notwithstanding any other provision of this subdivision, qualified~~
 33 ~~youth 15 years and older may be permitted to enroll in courses,~~
 34 ~~including certification-eligible courses, in fire training pursuant to~~
 35 ~~G.S. 95-25.5(n) and on a specialized course list approved by the State~~
 36 ~~Board of Community Colleges in accordance with~~
 37 ~~G.S. 115D-5(b)(2)."~~

38 **SECTION 6.5.(c)** Article 2 of Chapter 115D of the General Statutes is amended by
 39 adding a new section to read:

40 **"§ 115D-21.2. Accreditation.**

- 41 (a) Definitions. – The following definitions apply in this section:
 42 (1) Accreditation cycle. – The period of time during which a community college
 43 is accredited.
 44 (2) Accrediting agency. – An agency or association that accredits institutions of
 45 higher education.
 46 (3) Regional accrediting agency. – One of the following accrediting agencies:
 47 a. Higher Learning Commission.
 48 b. Middle States Commission on Higher Education.
 49 c. New England Commission on Higher Education.
 50 d. Northwest Commission on Colleges and Universities.

- 1 e. Southern Association of Colleges and Schools Commission on
2 Colleges.
3 f. Western Association of Schools and Colleges Accrediting
4 Commission for Community and Junior Colleges.

5 (b) Prohibit Consecutive Accreditation by an Accrediting Agency. – A community
6 college shall not receive accreditation by an accrediting agency for consecutive accreditation
7 cycles except as provided in subsection (c) of this section.

8 (c) Accreditation Transfer Procedure. – A community college that pursues accreditation
9 with a different accrediting agency in accordance with this section shall pursue accreditation with
10 a regional accrediting agency. If the community college is not granted candidacy status by any
11 regional accrediting agency that is different from its current accrediting agency at least three
12 years prior to the expiration of its current accreditation, the community college may remain with
13 its current accrediting agency for an additional accreditation cycle.

14 (d) Certain Programs Exempt. – The requirements of this section do not apply to
15 professional, departmental, or certificate programs at community colleges that have specific
16 accreditation requirements or best practices, as identified by the State Board of Community
17 Colleges.

18 (e) Cause of Action. – A community college may bring a civil action, as follows:

19 (1) Against any person who makes a false statement to the accrediting agency of
20 the community college, if all of the following criteria are met:

- 21 a. The statement, if true, would mean the community college is out of
22 compliance with its accreditation standards.
23 b. The person made the statement with knowledge that the statement was
24 false or with reckless disregard as to whether it was false.
25 c. The accrediting agency conducted a review of the community college
26 as a proximate result of the statement.
27 d. The review caused the community college to incur costs.

28 (2) A community college that prevails on a cause of action initiated pursuant to
29 this subsection shall be entitled to the following:

- 30 a. Costs related to the review conducted by the accrediting agency,
31 including for the following:
32 1. Additional hours worked by community college personnel.
33 2. Contracted services, including outside legal counsel.
34 3. Travel, lodging, and food expenses.
35 4. Fees required by the agency.
36 b. Reasonable attorneys' fees.
37 c. Court costs."

38 **SECTION 6.5.(d)** G.S. 115D-21.5 is repealed.

39 **SECTION 6.5.(e)** Article 2 of Chapter 115D of the General Statutes is amended by
40 adding a new section to read:

41 **"§ 115D-21.10. Curriculum courses taught throughout year.**

42 Community colleges may teach curriculum courses at any time during the year, including the
43 summer term. Student membership hours from these courses shall be counted when computing
44 full-time equivalent students (FTE) for use in budget funding formulas at the State level."

45 **SECTION 6.5.(f)** Chapter 115D of the General Statutes is amended by adding a new
46 Article to read:

47 "Article 2B.

48 "High School Programs.

49 **"§ 115D-30.1. Career and College Promise Program.**

50 (a) There is established the Career and College Promise Program to allow pathways for
51 qualified high school students to take community college courses without the payment of tuition.

1 (b) Subject to the approval of the State Board of Community Colleges, local community
2 colleges may collaborate with public school units and nonpublic schools to offer courses through
3 the following programs:

4 (1) Academic transition pathways for qualified junior and senior high school
5 students that lead to a career technical education certificate, diploma, or State
6 or industry-recognized credential and academic transition pathways for
7 qualified freshmen and sophomore high school students that lead to a career
8 technical education certificate or diploma in one of the following:

9 a. Industrial and engineering technologies.

10 b. Agriculture and natural resources.

11 c. Transportation technology.

12 d. Construction.

13 e. Business technologies.

14 (2) College transfer pathways requiring the successful completion of 30 semester
15 credit hours of transfer courses, including English and mathematics, for the
16 following students:

17 a. Qualified junior and senior high school students.

18 b. Qualified freshmen and sophomore high school students, if all of the
19 following requirements are met:

20 1. The student is determined to be academically gifted, have a
21 demonstrated readiness for the course material, and have the
22 maturity to justify admission to the community college by (i)
23 the community college president, (ii) the student's high school
24 principal or equivalent administrator, and (iii) the academically
25 gifted coordinator, if one is employed by the high school or
26 local school administrative unit.

27 2. The student participates in academic advising focused on the
28 implications of being admitted to college early with
29 representatives from the high school and the community
30 college.

31 3. The student's parent or guardian has given consent for the
32 student to participate.

33 **"§ 115D-30.5. Evaluation of Career and College Promise Program.**

34 (a) Evaluation. – In addition to the evaluation of cooperative innovative high schools by
35 the State Board of Education pursuant to G.S. 115C-238.55, the State Board of Community
36 Colleges, in conjunction with the State Board of Education and the Board of Governors of The
37 University of North Carolina, shall evaluate the success of students participating in the Career
38 and College Promise Program, including the College Transfer pathway and the Career and
39 Technical Education pathway.

40 (b) Metrics. – Success shall be measured by high school retention rates, high school
41 completion rates, high school dropout rates, certification and associate degree completion,
42 admission to four-year institutions, postgraduation employment in career or study-related fields,
43 and employer satisfaction of employees who participated in the programs. The evaluation shall
44 also include an analysis of the cost of students participating in each of the programs within the
45 Career and College Promise Program, including at least the following:

46 (1) Total enrollment funding, the number of budgeted full-time equivalent
47 students, and the number of students enrolled in courses through cooperative
48 innovative high schools, the College Transfer pathway, and the Career and
49 Technical Education pathway.

1 (2) The cost and number of waivers of tuition and registration fees provided for
2 students enrolled in courses through cooperative innovative high schools, the
3 College Transfer pathway, and the Career and Technical Education pathway.

4 (3) Any additional costs of a student attending courses on campus if a student is
5 not attending public school in a local school administrative unit for the
6 majority of the student's instructional time.

7 (c) Report. – The Boards shall jointly report by March 15 of each year to the Joint
8 Legislative Education Oversight Committee, the Senate Appropriations Committee on
9 Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal
10 Research Division of the General Assembly. The report shall be combined with the evaluation
11 of cooperative innovative high schools required by G.S. 115C-238.55, and the Community
12 Colleges System Office shall be responsible for submitting the combined report.

13 **"§ 115D-30.10. Cooperative innovative high schools.**

14 Subject to the approval of the State Board of Community Colleges, local community colleges
15 may collaborate with local school administrative units to offer cooperative innovative high
16 school programs, as provided by Part 9 of Article 16 of Chapter 115C of the General Statutes.

17 **"§ 115D-30.15. Noncredit courses.**

18 Subject to rules adopted by the State Board of Community Colleges, local community
19 colleges may provide for the following:

20 (1) During the summer quarter, persons less than 16 years old may be permitted
21 to take noncredit courses on a self-supporting basis.

22 (2) High school students may be permitted to take noncredit courses in safe
23 driving on a self-supporting basis during the academic year or the summer.

24 (3) High school students 16 years and older may be permitted to take noncredit
25 courses, except adult basic skills.

26 (4) Notwithstanding any other provision of this Article, qualified youth 15 years
27 and older may be permitted to enroll in courses, including
28 certification-eligible courses, in fire training pursuant to G.S. 95-25.5(n) and
29 on a specialized course list approved by the State Board of Community
30 Colleges in accordance with G.S. 115D-30.1.

31 **"§ 115D-30.20. Gateway to College Program.**

32 The purpose of the first semester of the Gateway to College Program is to address additional
33 support to successfully complete the Program. Students may need to take developmental courses
34 necessary for the transition to more challenging courses; therefore, the State Board of Community
35 Colleges shall (i) permit high school students who are enrolled in Gateway to College Programs
36 to enroll in developmental courses based on an assessment of their individual student needs by a
37 high school and community college staff team and (ii) include this coursework in computing the
38 budget FTE for the colleges.

39 **"§ 115D-30.25. NC Career Coach Program.**

40 (a) Purpose. – There is established the NC Career Coach Program to place community
41 college career coaches in high schools to assist students with determining career goals and
42 identifying community college programs that would enable students to achieve these goals.

43 (b) Memorandum of Understanding. – The board of trustees of a community college and
44 a local board of education of a local school administrative unit within the service area of the
45 community college shall enter into a memorandum of understanding for the placement of career
46 coaches employed by the board of trustees of the community college in schools within the local
47 school administrative unit. At a minimum, the memorandum of understanding shall include the
48 following:

49 (1) Requirement that the community college provides the following:

50 a. Hiring, training, and supervision of career coaches. The board of
51 trustees may include a local board of education liaison on the hiring

- 1 committee to participate in the decision making regarding hiring for
2 the coach positions.
- 3 b. Salary, benefits, and all other expenses related to the employment of
4 the career coach. The coach will be an employee of the board of
5 trustees and will not be an agent or employee of the local board of
6 education.
- 7 c. Development of pedagogical materials and technologies needed to
8 enhance the advising process.
- 9 d. Criminal background checks required by the local school
10 administrative unit for employees working directly with students.
- 11 e. Agreement that, while on any school campus, the career coach will
12 obey all local board of education rules and will be subject to the
13 authority of the school building administration.
- 14 (2) Requirement that the local school administrative unit provides the following
15 to career coaches:
- 16 a. Access to student records, as needed to carry out the coach's job
17 responsibilities.
- 18 b. Office space on site appropriate for student advising.
- 19 c. Information technology resources, including, but not limited to,
20 internet access, telephone, and copying.
- 21 d. Initial school orientation and ongoing integration into the faculty and
22 staff community.
- 23 e. Promotion of school-wide awareness of coach duties.
- 24 f. Facilitation of the coach's access to individual classes and larger
25 assemblies for the purposes of awareness building.
- 26 (c) Application for NC Career Coach Program Funding. – The board of trustees of a
27 community college and a local board of education of a local school administrative unit within the
28 service area of the community college jointly may apply for available funds for NC Career Coach
29 Program funding from the State Board of Community Colleges. The State Board of Community
30 Colleges shall establish a process for award of funds as follows:
- 31 (1) Advisory committee. – Establishment of an advisory committee, which shall
32 include representatives from the NC Community College System, the
33 Department of Public Instruction, the Department of Commerce, and at least
34 three representatives of the business community, to review applications and
35 make recommendations for funding awards to the State Board.
- 36 (2) Application submission requirements. – The State Board of Community
37 Colleges shall require at least the following:
- 38 a. Evidence of a signed memorandum of understanding that meets, at a
39 minimum, the requirements of this section.
- 40 b. Evidence that the funding request will be matched with local funds in
41 accordance with the following:
- 42 1. Matching funds may come from public or private sources.
- 43 2. The match amount shall be determined based on the
44 development tier designation of the county in which the local
45 school administrative unit is located where the career coach is
46 assigned on the date of the award of funds by the State Board
47 of Community Colleges according to the following:
- 48 I. If located in a tier one county as defined in
49 G.S. 143B-437.08, no local match shall be required.
- 50 II. If located in a tier two county as defined in
51 G.S. 143B-437.08, one dollar (\$1.00) of local funds for

- 1 every two dollars (\$2.00) in State funds shall be
 2 required.
- 3 III. If located in a tier three county as defined in
 4 G.S. 143B-437.08, one dollar (\$1.00) of local funds for
 5 every one dollar (\$1.00) in State funds shall be
 6 required.
- 7 (3) Awards criteria. – The State Board of Community Colleges shall develop
 8 criteria for consideration in determining the award of funds that shall include
 9 the following:
- 10 a. Consideration of the workforce needs of business and industry in the
 11 region.
- 12 b. Targeting of resources to enhance ongoing economic activity within
 13 the community college service area and surrounding counties.
- 14 c. Geographic diversity of awards.
- 15 (d) Annual Report. –
- 16 (1) The board of trustees of a community college that employs one or more career
 17 coaches shall report annually to the State Board of Community Colleges on
 18 implementation and outcomes of the Program, including the following
 19 information:
- 20 a. Number of career coaches employed.
- 21 b. Number of local school administrative units served and names of
 22 schools in which career coaches are placed.
- 23 c. Number of students annually counseled by career coaches.
- 24 d. Impact of career coaches on student choices, as determined by a valid
 25 measure selected by the State Board of Community Colleges.
- 26 (2) The State Board of Community Colleges shall report annually no later than
 27 October 1 to the Joint Legislative Education Oversight Committee on the
 28 following:
- 29 a. A compilation of the information reported by the board of trustees of
 30 community colleges, as provided in subdivision (1) of this subsection.
- 31 b. Number and names of partnership applicants for NC Career Coach
 32 Program funding.
- 33 c. Number, names, and amounts of those awarded NC Career Coach
 34 Program funding."

35 **SECTION 6.5.(g)** G.S. 115D-39, 115D-39.1, 115D-40.1, and 115D-40.5 are
 36 codified into Part 2 of Article 3 of Chapter 115D of the General Statutes, which shall be entitled
 37 "Tuition and Fees." The remaining sections of Article 3 of Chapter 115D of the General Statutes
 38 are codified into Part 1 of Article 3 of Chapter 115D of the General Statutes, which shall be
 39 entitled "Funding of Community Colleges."

40 **SECTION 6.5.(h)** Part 2 of Article 3 of Chapter 115D of the General Statutes is
 41 amended by adding new sections to read:

42 **"§ 115D-39.2. Pro rata tuition and uniform registration fees.**

43 In order to make instruction as accessible as possible to all citizens, the teaching of curricular
 44 courses and of noncurricular extension courses at convenient locations away from institution
 45 campuses as well as on campuses is authorized and shall be encouraged. A pro rata portion of
 46 the established regular tuition rate charged a full-time student shall be charged a part-time student
 47 taking any curriculum course. In lieu of any tuition charge, the State Board of Community
 48 Colleges shall establish a uniform registration fee, or a schedule of uniform registration fees, to
 49 be charged students enrolling in extension courses for which instruction is financed primarily
 50 from State funds.

51 **"§ 115D-39.5. Tuition waivers.**

1 (a) Allowed Tuition Waivers. – The State Board of Community Colleges shall not waive
2 tuition and registration fees for any individuals, except the State Board may, as provided by
3 general and uniform regulations, waive tuition and registration fees for the following:

4 (1) Persons not enrolled in elementary or secondary schools taking courses
5 leading to a high school diploma or equivalent certificate.

6 (2) Courses requested by the following entities that support the organizations'
7 training needs and are on a specialized course list approved by the State Board:

8 a. Volunteer fire departments.

9 b. Municipal, county, or State fire departments.

10 c. Volunteer EMS or rescue and lifesaving departments.

11 d. Municipal, county, or State EMS or rescue and lifesaving departments.

12 e. Law enforcement, fire, or EMS or rescue and lifesaving entities
13 serving a lake authority that was created by a county board of
14 commissioners prior to July 1, 2012.

15 f. Radio Emergency Associated Communications Teams (REACT)
16 under contract to a county as an emergency response agency.

17 g. Municipal, county, or State law enforcement agencies.

18 h. Campus police agencies of private institutions of higher education
19 certified by the Attorney General pursuant to Chapter 74G of the
20 General Statutes.

21 i. The Division of Prisons of the Department of Adult Correction and the
22 Division of Juvenile Justice of the Department of Public Safety for the
23 training of full-time custodial employees and employees of the
24 Divisions required to be certified under Article 1 of Chapter 17C of
25 the General Statutes and the rules of the Criminal Justice and Training
26 Standards Commission.

27 j. The Eastern Band of Cherokee Indians law enforcement, fire, or EMS
28 or rescue and lifesaving tribal government departments or programs.

29 k. The Criminal Justice Standards Division of the Department of Justice
30 for the training of criminal justice professionals, as defined in
31 G.S. 17C-20(6), who are required to be certified under (i) Article 1 of
32 Chapter 17C of the General Statutes and the rules of the North
33 Carolina Criminal Justice Education and Training Standards
34 Commission or (ii) Chapter 17E of the General Statutes and the rules
35 of the North Carolina Sheriffs' Education and Training Standards
36 Commission. The waivers provided for in this sub-subdivision apply
37 to participants and recent graduates of the North Carolina Criminal
38 Justice Fellows Program to obtain certifications for eligible criminal
39 justice professions, as defined in G.S. 17C-20(6).

40 (3) Firefighters, EMS personnel, and rescue and lifesaving personnel whose duty
41 station is located on a military installation within North Carolina for courses
42 that support their organizations' training needs and are approved for this
43 purpose by the State Board.

44 (4) Trainees enrolled in courses conducted under the Customized Training
45 Program.

46 (5) Elementary and secondary school employees enrolled in courses in first aid or
47 cardiopulmonary resuscitation (CPR).

48 (6) All courses taken by high school students at community colleges, in
49 accordance with this section and Article 2B of this Chapter.

50 (7) Human resources development courses for any individual who (i) is
51 unemployed, (ii) has received notification of a pending layoff, (iii) is working

1 and is eligible for the Federal Earned Income Tax Credit (FEITC), or (iv) is
 2 working and earning wages at or below two hundred percent (200%) of the
 3 federal poverty guidelines.

4 (8) Courses providing employability skills, job-specific occupational or technical
 5 skills, or developmental education instruction to certain students who are
 6 concurrently enrolled in an eligible community college literacy course, in
 7 accordance with rules adopted by the State Board.

8 (9) Courses provided to students who are participating in a pre-apprenticeship or
 9 apprenticeship program that meets all of the following criteria:

10 a. Meets one of the following:

11 1. Is a registered apprenticeship program recognized by the
 12 United States Department of Labor.

13 2. Is a pre-apprenticeship program recognized and approved by
 14 the State agency administering the statewide apprenticeship
 15 program.

16 b. Has a documented plan of study with courses relating to a job-specific
 17 occupational or technical skill.

18 c. Requires the participants in the program to be North Carolina high
 19 school students when entering the program.

20 (b) Faculty and Staff. – The State Board shall not waive tuition and registration fees for
 21 community college faculty or staff members. Community colleges may, however, use State or
 22 local funds to pay tuition and registration fees for one course per semester for full-time
 23 community college faculty or staff members employed for a nine-, 10-, 11-, or 12-month term.
 24 Community colleges may also use State and local funds to pay tuition and registration fees for
 25 professional development courses and for other courses consistent with the academic assistance
 26 program authorized by the State Human Resources Commission.

27 (c) Annual Report. – Annually by February 1, the Community Colleges System Office
 28 shall report to the Joint Legislative Education Oversight Committee on the number and type of
 29 waivers granted pursuant to subsection (a) of this section."

30 **SECTION 6.5.(i)** G.S. 115D-41 is recodified as G.S. 115D-38.5.

31 **SECTION 6.5.(j)** G.S. 115D-43 is recodified as G.S. 115D-38.10.

32 **SECTION 6.5.(k)** G.S. 115D-44 is repealed.

33 **SECTION 6.5.(l)** G.S. 20-11(n) reads as rewritten:

34 "(n) Driving Eligibility Certificate. – A person who desires to obtain a permit or license
 35 issued under this section must have a high school diploma or its equivalent or must have a driving
 36 eligibility certificate. A driving eligibility certificate must meet the following conditions:

37 (1) The person who is required to sign the certificate under subdivision (4) of this
 38 subsection must show that he or she has determined that one of the following
 39 requirements is met:

40 a. The person is currently enrolled in school and is making progress
 41 toward obtaining a high school diploma or its equivalent.

42 b. A substantial hardship would be placed on the person or the person's
 43 family if the person does not receive a certificate.

44 c. The person cannot make progress toward obtaining a high school
 45 diploma or its equivalent.

46 (1a) The person who is required to sign the certificate under subdivision (4) of this
 47 subsection also must show that one of the following requirements is met:

48 a. The person who seeks a permit or license issued under this section is
 49 not subject to subsection (n1) of this section.

- 1 b. The person who seeks a permit or license issued under this section is
2 subject to subsection (n1) of this section and is eligible for the
3 certificate under that subsection.
- 4 (2) It must be on a form approved by the Division.
- 5 (3) It must be dated within 30 days of the date the person applies for a permit or
6 license issuable under this section.
- 7 (4) It must be signed by the applicable person named below:
- 8 a. The principal, or the principal's designee, of the public school in which
9 the person is enrolled.
- 10 b. The administrator, or the administrator's designee, of the nonpublic
11 school in which the person is enrolled.
- 12 c. The person who provides the academic instruction in the home school
13 in which the person is enrolled.
- 14 c1. The person who provides the academic instruction in the home in
15 accordance with an educational program found by a court, prior to July
16 1, 1998, to comply with the compulsory attendance law.
- 17 d. The designee of the board of directors of the charter school in which
18 the person is enrolled.
- 19 e. The president, or the president's designee, of the community college
20 in which the person is enrolled.

21 Notwithstanding any other law, the decision concerning whether a driving eligibility
22 certificate was properly issued or improperly denied shall be appealed only as provided under
23 the rules adopted in accordance with G.S. 115C-12(28), ~~115D-5(a3)~~, 115D-10.70, or 115C-566,
24 whichever is applicable, and may not be appealed under this Chapter."

25 **SECTION 6.5.(m)** G.S. 20-13.2(c1) reads as rewritten:

26 "(c1) Upon receipt of notification from the proper school authority that a person no longer
27 meets the requirements for a driving eligibility certificate under G.S. 20-11(n), the Division must
28 expeditiously notify the person that his or her permit or license is revoked effective on the
29 thirtieth calendar day after the mailing of the revocation notice. The Division must revoke the
30 permit or license of that person on the thirtieth calendar day after the mailing of the revocation
31 notice. Notwithstanding subsection (d) of this section, the length of revocation must last for the
32 following periods:

- 33 (1) If the revocation is because of ineligibility for a driving eligibility certificate
34 under G.S. 20-11(n)(1), then the revocation shall last until the person's
35 eighteenth birthday.
- 36 (2) If the revocation is because of ineligibility for a driving eligibility certificate
37 under G.S. 20-11(n1), then the revocation shall be for a period of one year.

38 For a person whose permit or license was revoked due to ineligibility for a driving eligibility
39 certificate under G.S. 20-11(n)(1), the Division must restore a person's permit or license before
40 the person's eighteenth birthday, if the person submits to the Division one of the following:

- 41 (1) A high school diploma or its equivalent.
- 42 (2) A driving eligibility certificate as required under G.S. 20-11(n).

43 If the Division restores a permit or license that was revoked due to ineligibility for a driving
44 eligibility certificate under G.S. 20-11(n)(1), any record of revocation or suspension shall be
45 expunged by the Division from the person's driving record. The Division shall not expunge a
46 suspension or revocation record if a person has had a prior expunction from the person's driving
47 record for any reason.

48 For a person whose permit or license was revoked due to ineligibility for a driving eligibility
49 certificate under G.S. 20-11(n1), the Division shall restore a person's permit or license before the
50 end of the revocation period, if the person submits to the Division a driving eligibility certificate
51 as required under G.S. 20-11(n).

1 Notwithstanding any other law, the decision concerning whether a driving eligibility
2 certificate was properly issued or improperly denied shall be appealed only as provided under
3 the rules adopted in accordance with G.S. 115C-12(28), ~~115D-5(a3)~~, 115D-10.70, or 115C-566,
4 whichever is applicable, and may not be appealed under this Chapter."

5 **SECTION 6.5.(n)** G.S. 90-631(b) reads as rewritten:

6 "(b) A massage and bodywork therapy program operated by a North Carolina community
7 college that is accredited by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~,
8 G.S. 115D-21.2, is exempt from the approval process, licensure process, or both, established by
9 the Board. The college shall certify annually to the Board that the program meets or exceeds the
10 minimum standards for curriculum, faculty, and learning resources established by the Board.
11 Students who complete the program shall qualify for licenses from the Board as if the program
12 were approved, licensed, or both, by the Board."

13 **SECTION 6.5.(o)** G.S. 93A-4(a2) reads as rewritten:

14 "(a2) A certified real estate education provider shall pay a fee of ten dollars (\$10.00) per
15 licensee to the Commission for each licensee completing a postlicensing education course
16 conducted by the school, provided that these fees shall not be charged to a community college,
17 junior college, college, or university located in this State and accredited by a regional accrediting
18 agency, as defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively."

19 **SECTION 6.5.(p)** G.S. 93A-38.5(e) reads as rewritten:

20 "(e) The Commission may establish a nonrefundable course application fee to be charged
21 to private real estate education providers for the review and approval of a proposed continuing
22 education course. The fee shall not exceed one hundred twenty-five dollars (\$125.00) per course.
23 The Commission may charge the private real estate education providers of an approved course a
24 nonrefundable fee not to exceed seventy-five dollars (\$75.00) for the annual renewal of course
25 approval.

26 A private real estate education provider shall pay a fee of ten dollars (\$10.00) per licensee to
27 the Commission for each licensee completing an approved continuing education course
28 conducted by the sponsor.

29 The Commission shall not charge a course application fee, a course renewal fee, or any other
30 fee for a continuing education course sponsored by a community college, junior college, college,
31 or university located in this State and accredited by a regional accrediting agency, as defined in
32 ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively."

33 **SECTION 6.5.(q)** G.S. 93E-1-7(b2) reads as rewritten:

34 "(b2) The Board shall not charge a course application fee, a course renewal fee, or any other
35 fee for a continuing education course offered by a North Carolina college, university, junior
36 college, or community or technical college accredited by a regional accrediting agency, as
37 defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4, respectively, or an agency of the
38 federal, State, or local government."

39 **SECTION 6.5.(r)** G.S. 93E-1-8 reads as rewritten:

40 "**§ 93E-1-8. Education program approval and fees.**

41 ...

42 (b) The Board may by rule set nonrefundable fees chargeable to private real estate
43 appraisal schools or course sponsors, including appraisal trade organizations, for the approval
44 and annual renewal of approval of their qualifying courses required by G.S. 93E-1-6(a), or
45 equivalent courses. The fees shall be one hundred dollars (\$100.00) per course for approval and
46 fifty dollars (\$50.00) per course for renewal of approval. No fees shall be charged for the approval
47 or renewal of approval to conduct appraiser qualifying courses where such courses are offered
48 by a North Carolina college, university, junior college, or community or technical college
49 accredited by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and
50 G.S. 116-11.4, respectively, or an agency of the federal, State, or local government.

51 ...

1 (d) Nonrefundable fees of one hundred dollars (\$100.00) per course may be charged to
2 schools and course sponsors for the approval to conduct appraiser continuing education courses
3 and fifty dollars (\$50.00) per course for renewal of approval. However, no fees shall be charged
4 for the approval or renewal of approval to conduct appraiser continuing education courses where
5 such courses are offered by a North Carolina college, university, junior college, or community
6 or technical college accredited by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~
7 G.S. 115D-21.2 and G.S. 116-11.4, respectively, or by an agency of the federal, State, or local
8 government. A nonrefundable fee of fifty dollars (\$50.00) per course may be charged to current
9 or former licensees or certificate holders requesting approval by the Board of a course for
10 continuing education credit when approval of such course has not been previously obtained by
11 the offering school or course sponsor."

12 **SECTION 6.5.(s)** G.S. 95-25.5(n) reads as rewritten:

13 "(n) Nothing in this section prohibits qualified youths under 18 years of age from
14 participating in training through their fire department, the Office of State Fire Marshal, or the
15 North Carolina Community College System. As used in this subsection, the term "qualified youth
16 under 18 years of age" means an uncompensated fire department or rescue squad member who
17 is at least the age of 15 and under the age of 18 and who is a member of a bona fide fire
18 department, as that term is defined in G.S. 58-86-2(4), or of a rescue squad described in
19 G.S. 58-86-2(6). A qualified youth under 18 years of age under this subsection may be permitted
20 to enroll in courses, including certification-eligible courses, in fire training at a community
21 college on a specialized course list approved by the State Board of Community Colleges pursuant
22 to ~~G.S. 115D-20(4)e~~. G.S. 115D-30.15(4)."

23 **SECTION 6.5.(t)** G.S. 115C-84.3(a)(3) reads as rewritten:

24 "(3) Institution of higher education courses, as provided in Article 16 of this
25 Chapter or ~~G.S. 115D-20(4)~~. Article 2B of Chapter 115D of the General
26 Statutes."

27 **SECTION 6.5.(u)** G.S. 115C-238.55 reads as rewritten:

28 **"§ 115C-238.55. Evaluation of cooperative innovative high schools.**

29 The State Board of Education and the governing Boards shall evaluate the success of students
30 in cooperative innovative high schools approved under this Part. Success shall be measured by
31 high school retention rates, high school completion rates, high school dropout rates, certification
32 and associate degree completion, admission to four-year institutions, postgraduation employment
33 in career or study-related fields, and employer satisfaction of employees who participated in and
34 graduated from the schools. The Boards shall jointly report by March 15 of each year to the Joint
35 Legislative Education Oversight Committee, the Senate Appropriations Committee on
36 Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal
37 Research Division of the General Assembly on the evaluation of these schools. The report shall
38 be combined with the evaluation of and analysis of cost of students participating in the Career
39 and College Promise Program required by ~~G.S. 115D-5(x)~~, G.S. 115D-30.5, and the Community
40 Colleges System Office shall be responsible for submitting the combined report."

41 **SECTION 6.5.(v)** G.S. 115D-2(2) reads as rewritten:

42 "(2) The term "community college" is defined as an educational institution
43 operating under the provisions of this Chapter and dedicated primarily to the
44 educational needs of the service area which it serves, and may offer any of the
45 following:

- 46 a. The freshmen and sophomore courses of a college of arts and sciences,
47 authorized by ~~G.S. 115D-4.1~~; G.S. 115D-10.10.
- 48 b. Organized credit curricula for the training of technicians; curricular
49 courses may carry transfer credit to a senior college or university
50 where the course is comparable in content and quality and is
51 appropriate to a chosen course of ~~study~~; study.

- 1 c. Vocational, trade, and technical specialty courses and ~~programs,~~
2 ~~and programs.~~
3 d. Courses in general adult education."

4 **SECTION 6.5.(w)** G.S. 115D-39(a1) reads as rewritten:

5 "(a1) In addition, federal law enforcement officers, firefighters, EMS personnel, and rescue
6 and lifesaving personnel whose permanent duty station is within North Carolina and who do not
7 otherwise qualify for tuition waivers under ~~G.S. 115D-5(b)(2a)~~ G.S. 115D-39.5(a)(3) shall also
8 be eligible for the State resident community college tuition rate for courses that support their
9 organizations' training needs and are approved for this purpose by the State Board of Community
10 Colleges."

11 **SECTION 6.5.(x)** G.S. 115D-41(a) reads as rewritten:

12 "(a) Community college contracts with local school administrative units shall not be used
13 by these agencies to supplant funding for a public school high school teacher providing courses
14 offered pursuant to ~~G.S. 115D-20(4)~~ Article 2B of this Chapter who is already employed by the
15 local school administrative unit. In no event shall a community college contract with a local
16 school administrative unit to provide high school level courses."

17 **SECTION 6.5.(y)** Article 6A of Chapter 115D of the General Statutes is repealed.

18 **SECTION 6.5.(z)** G.S. 116-201(b)(8) reads as rewritten:

19 "(8) "Private institution" means an institution other than a seminary, Bible school,
20 Bible college or similar religious institution in this State that is not owned or
21 operated by the State or any agency or political subdivision thereof, or by any
22 combination thereof, that offers post-high school education and is accredited
23 by a regional accrediting agency, as defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2
24 and G.S. 116-11.4, or the Transnational Association of Christian Colleges and
25 Schools, or, in the case of institutions that are not eligible to be considered for
26 accreditation, accredited in those categories and by those nationally
27 recognized accrediting agencies that the Authority may designate;"

28 **SECTION 6.5.(aa)** G.S. 116-280(3) reads as rewritten:

29 "(3) Eligible private postsecondary institution. – A school that is any of the
30 following:

- 31 a. A nonprofit postsecondary educational institution with a main
32 permanent campus located in this State that is not owned or operated
33 by the State of North Carolina or by an agency or political subdivision
34 of the State or by any combination thereof that satisfies all of the
35 following:
- 36 1. Is either (i) accredited by a regional accrediting agency, as
37 defined in ~~G.S. 115D-6.2~~ G.S. 115D-21.2 and G.S. 116-11.4,
38 or the Transnational Association of Christian Colleges and
39 Schools or (ii) was accredited by ~~SACSCOC~~ the Southern
40 Association of Colleges and Schools Commission on Colleges
41 on January 1, 2021, and, beginning January 1, 2021, was a
42 member of the Transnational Association of Christian Colleges
43 and Schools.
 - 44 2. Awards a postsecondary degree as defined in G.S. 116-15.
- 45 b. A postsecondary institution owned or operated by a hospital authority
46 as defined in G.S. 131E-16(14) or school of nursing affiliated with a
47 nonprofit postsecondary educational institution as defined in
48 sub-subdivision a. of this subsection."

49 **SECTION 6.5.(bb)** G.S. 126-5(c2)(3) reads as rewritten:

50 "(3) Employees of community colleges whose salaries are fixed in accordance with
51 ~~G.S. 115D-5~~ G.S. 115D-6.1 and G.S. 115D-20 and employees of the

1 Community Colleges System Office whose salaries are fixed by the State
2 Board of Community Colleges in accordance with G.S. 115D-3."

3 **SECTION 6.5.(cc)** Section 6.9(b) of S.L. 2023-134 reads as rewritten:

4 **"SECTION 6.9.(b)** Of the recurring funds appropriated in this act to the Community
5 Colleges System Office for the 2023-2025 fiscal biennium to support increasing program
6 offerings for individuals with IDD pursuant to ~~G.S. 115D-44, as enacted by this section,~~
7 G.S. 115D-10.21, the System Office shall establish at least two statewide positions for program
8 support, provide professional development training for college advising staff to assist students
9 with IDD for career pathway exploration and the identification of credentials leading to
10 competitive employment, and explore funding sources to sustain programs for students with
11 IDD."

12 **NCCCS LEARNING MANAGEMENT SYSTEM**

13 **SECTION 6.6.(a)** The State Board of Community Colleges shall conduct a
14 competitive solicitation, including a request for information or a request for proposals, to provide
15 a learning management system to all community colleges. The competitive solicitation shall be
16 completed by December 31, 2025. Answers to the competitive solicitation shall include
17 information on how the learning management system would align with the learning management
18 systems (i) offered by the Department of Public Instruction to local school administrative units
19 and (ii) used by the constituent institutions of The University of North Carolina.

20 **SECTION 6.6.(b)** By December 31, 2025, the State Board shall report to the Senate
21 Appropriations Committee on Education/Higher Education, the House Appropriations
22 Committee on Education, and the Fiscal Research Division on the information received.

23 **SECTION 6.6.(c)** G.S. 143B-1320 reads as rewritten:

24 **"§ 143B-1320. Definitions; scope; exemptions.**

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

26 (1) CGIA. – Center for Geographic Information and Analysis.

27 ...

28 (17) State agency or agency. – Any agency, department, institution, commission,
29 committee, board, division, bureau, office, unit, officer, or official of the State.
30 The term does not include the legislative or judicial branches of ~~government~~
31 government, the Community Colleges System Office, or The University of
32 North Carolina.

33 ...

34 (b) Exemptions. – Except as otherwise specifically provided by law, the provisions of
35 this Chapter do not apply to the following entities: the General Assembly, the Judicial
36 Department, the Community Colleges System Office, and The University of North Carolina and
37 its constituent institutions. These entities may elect to participate in the information technology
38 programs, services, or contracts offered by the Department, including information technology
39 procurement, in accordance with the statutes, policies, and rules of the Department. The election
40 must be made in writing, as follows:

41 (1) For the General Assembly, by the Legislative Services Commission.

42 (2) For the Judicial Department, by the Chief Justice.

43 (2a) For the Community Colleges System Office, by the State Board of
44 Community Colleges.

45 (3) For The University of North Carolina, by the Board of Governors.

46 (4) For the constituent institutions of The University of North Carolina, by the
47 respective boards of trustees.

48"

49 **FISCAL RESPONSIBILITY AND COMMUNITY COLLEGE TECH PLANNING**

1 **SECTION 6.7.** Chapter 115D of the General Statutes is amended by adding a new
2 section to read:

3 **"§ 115D-9.40. Evaluation of technology costs.**

4 The State Board of Community Colleges shall adopt a policy that requires all community
5 colleges to evaluate the following when acquiring technology, computer hardware, and software:

- 6 (1) The long-term cost of ownership, including costs of repairing the technology,
7 computer hardware, or software.
8 (2) Any flexibility for innovation during the life of the technology, computer
9 hardware, or software.
10 (3) Any anticipated resale or salvage value at the end of the target life cycle for
11 the technology, computer hardware, or software based on the average resale
12 or salvage value of similar technology, computer hardware, or software as a
13 percentage of the initial cost of purchase."
14

15 **COMMUNITY COLLEGE SEAMLESS SKILLS INITIATIVE**

16 **SECTION 6.8.(a)** Initiative Established; Purpose. – There is established the
17 Community College Seamless Skills Initiative (Initiative). The purpose of the Initiative is to
18 create a competency-based education (CBE) model that seamlessly connects high school and
19 community college. By aligning learning experiences from high school with college-level
20 competencies, the Initiative enables students to explore career pathways, earn dual credit, and
21 fulfill computer science requirements while gaining credentials of value in high-demand
22 technology employment sectors through college credit.

23 **SECTION 6.8.(b)** Initiative Participants. – Fayetteville Technical Community
24 College (FTCC) and Wilkes Community College (WCC) shall partner to implement the duties
25 of the Initiative.

26 **SECTION 6.8.(c)** Project Commitments. – The Project shall commit to
27 accomplishing each of the following:

- 28 (1) Establish high-tech pathways that will integrate high school and community
29 college curricula for hands-on, project-based learning.
30 (2) Develop competency-based pathways that will create cross-curricular maps
31 for dual credit, fostering seamless transitions between secondary and
32 postsecondary education.
33 (3) Scale and replicate to be able to build a scalable framework for rapid
34 implementation across North Carolina.
35 (4) Empower student ownership by enabling students to set long-term learning
36 goals and to manage and own their credentials with a digital wallet.
37 (5) Facilitate student work experiences to accelerate learning and transition
38 students into work through "learn & earn" work-based learning in partnership
39 with public agencies and private employers.
40 (6) Address workforce needs by developing and sustaining a comprehensive
41 talent pipeline of skilled workers for high-demand technology fields in
42 occupations that depend upon informational technology and operational
43 technology for operational success.
44 (7) Develop statewide resources, including a guidebook to facilitate model
45 replication and a new talent development model to accelerate learning using
46 CBE.

47 **SECTION 6.8.(d)** Digital Wallet. – The participants in the Initiative shall contract
48 with a third-party entity to create a secure, interoperable digital wallet platform capable of
49 issuing, storing, verifying, and sharing learner credentials, including microcredentials,
50 certifications, transcripts, and verified skill records. The platform shall allow for credential
51 portability across educational institutions and employers, support open standards for

1 interoperability, and ensure privacy and security in compliance with applicable laws. The system
2 shall enable learners to manage a comprehensive, lifelong record of achievement that is
3 accessible, verifiable, and shareable with third parties through digital means. All credential and
4 learner data shall be owned and controlled by the student and shall not be stored in centralized
5 cloud infrastructure.

6 **SECTION 6.8.(e)** Support. – The Community Colleges System Office shall provide
7 ongoing technical support to community colleges participating in the Initiative. FTCC shall enter
8 into a memorandum of understanding with WCC to jointly co-design the Program. As part of
9 this effort, the colleges shall engage an organization with demonstrated expertise in designing
10 and implementing learner-centered, modular, and competency-based high school programs
11 aligned with emerging and high-tech career pathways. The selected organization shall have a
12 history of co-designing stackable credentials with local education agencies and postsecondary
13 institutions and a proven track record of building digital infrastructure that supports
14 student-paced progression, interdisciplinary instruction, and authentic skill development. The
15 organization shall assist in the development of a comprehensive framework for the Program,
16 including course design, sequencing, credentialing structure, and related elements necessary to
17 support personalized student progression during the 2025-2026 school year.

18 **SECTION 6.8.(f)** Of the funds appropriated from the General Fund to the
19 Community Colleges System Office for the purposes in this section, the sum of two million seven
20 hundred fifty thousand dollars (\$2,750,000) shall be allocated to FTCC and the sum of one
21 million dollars (\$1,000,000) shall be allocated to WCC. Funds allocated for the purposes outlined
22 in this section shall not revert but shall remain available until the end of the 2028-2029 fiscal
23 year.
24

25 **HIGH-COST WORKFORCE PROGRAMS START-UP FUNDS**

26 **SECTION 6.9.(a)** Establishment of the Fund. – Of the funds appropriated to the
27 Community Colleges System Office (System Office) by this act for the 2025-2027 fiscal
28 biennium, the System Office shall establish the Fund for High-Cost Workforce Programs (Fund).
29 Any unexpended funds remaining in the Fund at the end of the fiscal year shall not revert to the
30 General Fund but shall remain available for the purposes set forth in this section. The Fund shall
31 be used to assist community colleges in starting new programs in high-demand career fields that
32 require significant start-up funds. Only programs offered at community colleges aligned with
33 high salary and high demand workforce sectors shall be eligible for the award of funds.

34 **SECTION 6.9.(b)** Applications. – The System Office shall establish an application
35 process for community colleges to apply for awards from the Fund no later than the beginning of
36 each year of the 2025-2027 fiscal biennium. To be eligible to receive funds, colleges shall submit
37 to the System Office a completed application, which shall include at least the following
38 information:

- 39 (1) A description of the proposed new program requiring start-up funds.
- 40 (2) Documentation of industry demand for the program or documentation of
41 future local, regional, or statewide employment needs that will be met by the
42 program.
- 43 (3) Total cash cost to start the program and maintain the program over two fiscal
44 years.
- 45 (4) A plan for the fiscal sustainability of the new program.

46 **SECTION 6.9.(c)** Limitation on the Use of Funds. – A community college may only
47 apply for the award of funds to support one new program in each fiscal year. Funds shall remain
48 available to the community college for a period of two fiscal years.

49 **SECTION 6.9.(d)** Matching Funds. – A community college shall be required to
50 match a percentage of the total cash cost of the program with non-State funds based on a college's
51 total full-time equivalents (FTE) according to the following:

- 1 (1) Community colleges with a total FTE of greater than 6,500 shall be required
2 to match fifteen percent (15%) of the cost.
- 3 (2) Community colleges with a total FTE between 2,500 and 6,500 shall be
4 required to match ten percent (10%) of the cost.
- 5 (3) Community colleges with a total FTE below 2,500 shall be required to match
6 five percent (5%) of the cost.

7 **SECTION 6.9.(e)** Administration. – The System Office may adopt any regulations,
8 policies, or procedures regarding the application process, use of funds, eligibility requirements,
9 and any other rules necessary related to the administration of the Fund. The System Office may
10 use up to one hundred thousand dollars (\$100,000) each fiscal year for administrative costs for
11 establishing and implementing the program.

12 **SECTION 6.9.(f)** Report. – The System Office shall submit an initial report to the
13 Joint Legislative Education Oversight Committee by December 1, 2026, and an annual report
14 thereafter for each year the System Office provides funds to community colleges from the Fund
15 on the programs receiving the funds, which shall include at least the following information:

- 16 (1) The community colleges that received funds, the amount of funds, and the
17 types of programs started.
- 18 (2) The use of funds by community colleges receiving awards, including costs
19 associated with student instruction, faculty salaries, instructional supplies,
20 related instructional equipment, and accreditation costs.
- 21 (3) Evaluation of the success of the new community college programs receiving
22 funds.

23 24 **NO FINANCIAL BENEFIT FOR CC STUDENTS CONVICTED OF ASSAULTING** 25 **OFFICERS OR EMPLOYEES OF THE STATE**

26 **SECTION 6.10.(a)** G.S. 115D-5 is amended by adding a new subsection to read:

27 "(aa) The State Board of Community Colleges shall adopt a policy prohibiting the
28 Community Colleges System Office and community colleges from providing a State-funded
29 scholarship or grant to any student who has been convicted of assaulting an officer or employee
30 of the State or any political subdivision of the State, as provided in G.S. 14-33(c)(4), while
31 enrolled as a student. The prohibition begins with the semester or academic term following the
32 conviction."

33 **SECTION 6.10.(b)** This section is effective December 1, 2025, and applies to
34 offenses committed on or after that date.

35 36 **PART VII. PUBLIC INSTRUCTION**

37 38 **REPEAL TEACHNC INITIATIVE**

39 **SECTION 7.1.** Section 7.20 of S.L. 2021-180 is repealed.

40 41 **REPEAL LEARNING.COM FUNDING**

42 **SECTION 7.2.(a)** Subsection (c) of Section 7.23K of S.L. 2017-57, as amended by
43 Section 7.7 of S.L. 2018-5 and Section 7.17 of S.L. 2023-134, is repealed.

44 **SECTION 7.2.(b)** Section 2 of S.L. 2020-49 is repealed.

45 **SECTION 7.2.(c)** Section 7.83 of S.L. 2021-180 is repealed.

46 47 **REPEAL PLASMA GAMES PROGRAM**

48 **SECTION 7.3.** Section 7.69 of S.L. 2023-134, as amended by Section 2.8F of S.L.
49 2024-1, is repealed.

1 **REPEAL REQUIREMENT FOR CONTRACT WITH COLLEGE BOARD FOR**
2 **ADVANCED PLACEMENT PROFESSIONAL DEVELOPMENT**

3 **SECTION 7.4.(a)** Subsections (f) and (g) of G.S. 115C-174.26 are repealed.

4 **SECTION 7.4.(b)** Subsection (h) of G.S. 115C-174.26 reads as rewritten:

5 "(h) The State Board of Education shall report annually by December 15 to the Joint
6 Legislative Education Oversight Committee on advanced courses in North Carolina. The report
7 shall include, at a minimum, the following information:

8 (1) ~~The North Carolina Advanced Placement Partnership's report to the~~
9 ~~Department of Public Instruction as required by subsection (g) of this section~~
10 ~~and the State Board's assessment of that report.~~

11 (2) Number of students enrolled in advanced courses and participating in
12 advanced course examinations, including demographic information by
13 gender, race, and free and reduced-price lunch status.

14 (3) Student performance on advanced course examinations, including information
15 by course, local school administrative unit, and school.

16 (4) Number of students participating in 10th grade PSAT/NMSQT testing.

17 (5) ~~Number of teachers attending summer institutes offered by the North Carolina~~
18 ~~Advanced Placement Partnership.~~

19 (6) Distribution of funding appropriated for advanced course testing fees and
20 professional development by local school administrative unit and school.

21 (7) ~~Status and efforts of the North Carolina Advanced Placement Partnership.~~

22 (8) Other trends in advanced courses and examinations."
23

24 **REPEAL BEGINNINGS REPORT**

25 **SECTION 7.5.** Subsection (b) of Section 7.28 of S.L. 2023-134 is repealed.
26

27 **REPEAL SCHOOLS THAT LEAD PROGRAM**

28 **SECTION 7.6.** Section 7.11 of S.L. 2021-180 is repealed.
29

30 **MODIFY ELIGIBILITY TO RECEIVE AP, IB, AND AICE TEST FEES**

31 **SECTION 7.7.** G.S. 115C-174.26(a) reads as rewritten:

32 "(a) It is the intent of the State to enhance accessibility and encourage students to enroll
33 in and successfully complete more rigorous advanced courses to enable success in postsecondary
34 education for all students. For the purposes of this section, an advanced course is an Advanced
35 Placement course, an International Baccalaureate Diploma Programme course, or a Cambridge
36 Advanced International Certificate of Education (AICE) course, including an AS-Level or
37 A-Level course. To attain this goal, to the extent funds are made available for this purpose,
38 economically disadvantaged students enrolled in public schools shall be exempt from paying any
39 fees for administration of examinations for advanced courses and registration fees for advanced
40 courses in which the student is enrolled regardless of the score the student achieves on an
41 examination. A student receiving instruction through a home school, as provided by Part 3 of
42 Article 39 of this Chapter, shall be eligible to participate in administration of examinations for
43 advanced courses as provided in G.S. 115C-565.1."
44

45 **STREAMLINE LIMITED ENGLISH PROFICIENT ALLOTMENT**

46 **SECTION 7.8.(a)** The title of Article 32F of Chapter 115C of the General Statutes
47 reads as rewritten:

48 "Supplemental School ~~Funding~~ Funding and Other Allotments."

49 **SECTION 7.8.(b)** Article 32F of Chapter 115C of the General Statutes is amended
50 by adding a new section to read:

51 **§ 115C-472.30. Limited English proficient allotment.**

1 To the extent funds are made available for this purpose, the State Board of Education shall
 2 allocate funds to local school administrative units, charter schools, regional schools, and
 3 laboratory schools operated under Article 29A of Chapter 116 of the General Statutes to provide
 4 services to students with limited English proficiency. The State Board shall allocate these funds
 5 under a formula that takes into account the average number of students in the units, charters,
 6 regional schools, or laboratory schools over the past three years who have limited English
 7 proficiency. Local school administrative units shall use funds allocated to them to pay for
 8 classroom teachers, teacher assistants, tutors, textbooks, classroom materials/instructional
 9 supplies/equipment, transportation costs, and professional development of teachers for students
 10 with limited English proficiency. A county in which a local school administrative unit receives
 11 funds under this section shall use the funds to supplement local current expense funds and shall
 12 not supplant local current expense funds."

13 **SECTION 7.8.(c)** When making adjustments to allocations to local school
 14 administrative units from the limited English proficient allotment for the 2025-2026 fiscal year,
 15 no local school administrative unit with an average daily membership of 20,000 or fewer students
 16 for the 2025-2026 school year shall receive a negative adjustment in excess of fifty thousand
 17 dollars (\$50,000) when compared to the allocation received during the 2024-2025 fiscal year
 18 from that allotment.

19
 20 **REPEAL TEXTBOOK COMMISSION**

21 **SECTION 7.9.(a)** G.S. 115C-86 through G.S. 115C-95 and G.S. 115C-97 are
 22 repealed.

23 **SECTION 7.9.(b)** Part 3 of Article 8 of Chapter 115C of the General Statutes reads
 24 as rewritten:

25 "Part 3. ~~Textbooks.~~Instructional Materials.

26 "**§ 115C-85. ~~Textbook~~ Instructional material needs are determined by course of study.**

27 ~~When the State Board of Education has adopted, upon the recommendation of the~~
 28 ~~Superintendent of Public Instruction, a standard course of study at each instructional level in the~~
 29 ~~elementary school and the secondary school, setting forth what subjects shall be taught at each~~
 30 ~~level, it shall proceed to select and adopt textbooks.~~

31 As used in this part, "~~textbook~~"-"instructional materials" means systematically organized
 32 material comprehensive enough to cover the primary objectives outlined in the standard course
 33 of study for a grade or course. Formats for ~~textbooks~~-instructional materials may be print or
 34 nonprint, including hardbound books, softbound books, activity-oriented programs, classroom
 35 kits, and ~~technology-based programs~~-digital resources that require the use of electronic
 36 equipment in order to be used in the learning process.

37 ~~Textbooks adopted in accordance with the provisions of this Part shall be used by the public~~
 38 ~~schools of the State except as provided in G.S. 115C-98(b1).~~

39 ...

40 "**§ 115C-96. Powers and duties of the State Board of Education in regard to**
 41 **~~textbooks.~~instructional materials.**

42 (a) The children of the public elementary and secondary schools of the State shall be
 43 provided with free basic ~~textbooks~~-instructional materials within the appropriation of the General
 44 Assembly for that purpose. To implement this directive, the State Board of Education shall
 45 evaluate annually the amount of money necessary to provide ~~textbooks~~-instructional materials
 46 based on the actual cost and availability of ~~textbooks~~-the instructional materials and shall request
 47 sufficient appropriations from the General Assembly.

48 (b) The State Board of Education shall administer a fund and ~~establish~~-adopt rules and
 49 ~~regulations necessary to:~~

- 50 (1) ~~Acquire by contract such basic textbooks as are or may be on the adopted list~~
 51 ~~of the State of North Carolina which the Board finds necessary to meet the~~

1 needs of the State public school system and to carry out the provisions of this
2 Part.

3 (2) ~~Provide a system of distribution of these textbooks and distribute the books~~
4 ~~that are provided without using any depository or warehouse facilities other~~
5 ~~than those operated by the State Board of Education.~~

6 (3) ~~Provide for the free use, with proper care and return, of elementary and~~
7 ~~secondary basic textbooks, instructional materials. The title of said books the~~
8 ~~instructional materials shall be vested in the State.~~

9 ...
10 **"§ 115C-98. Local boards of education to provide for local operation of the textbook**
11 **program, the selection and procurement of other instructional materials, and the**
12 **use of nonadopted textbooks, selection of supplementary and instructional**
13 **materials.**

14 (a) Local boards of education shall adopt ~~rules~~ policies not inconsistent with the ~~polieies~~
15 rules of the State Board of Education concerning the local ~~operation of the textbook~~
16 ~~program~~ selection and procurement of instructional materials.

17 (b) Local boards of education shall adopt written policies concerning the procedures to
18 be followed in their local school administrative units for the selection and procurement of
19 ~~supplementary textbooks, library books, periodicals, audiovisual materials, and other~~
20 ~~supplementary~~ and instructional materials needed for instructional purposes in the public schools
21 of their units.

22 Local boards of education shall have sole authority to select and procure supplementary and
23 instructional materials, including library books and media, whether or not the materials contain
24 commercial advertising, to determine if the materials are related to and within the limits of the
25 prescribed curriculum, and to determine when the materials may be presented to students during
26 the school day. ~~Supplementary materials and contracts for supplementary materials are not~~
27 ~~subject to approval by the State Board of Education.~~

28 ~~Supplementary books and other instructional materials shall neither displace nor be used to~~
29 ~~the exclusion of basic textbooks, instructional materials.~~

30 (b1) ~~A local board of education may establish a community media advisory committee to~~
31 ~~investigate and evaluate challenges from parents, teachers, and members of the public to~~
32 ~~textbooks and supplementary instructional materials on the grounds that they are educationally~~
33 ~~unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the~~
34 ~~students. The State Board of Education shall review its rules and policies concerning these~~
35 ~~challenges and shall establish guidelines to be followed by community media advisory~~
36 ~~committees.~~

37 ~~The local board, at all times, has sole authority and discretion to determine whether a~~
38 ~~challenge has merit and whether challenged material should be retained or removed.~~

39 (b2) Local boards of education may:

40 (1) ~~Select, procure, and use textbooks that have not been adopted by the State~~
41 ~~Board of Education for use throughout the local school administrative unit for~~
42 ~~selected grade levels and courses; and~~

43 (2) ~~Approve school improvement plans developed under G.S. 115C-105.27 that~~
44 ~~include provisions for using textbooks that have not been adopted by the State~~
45 ~~Board of Education for selected grade levels and courses.~~

46 All ~~textbook~~ instructional material contracts made under this subsection shall include a clause
47 granting to the local board of education the license to produce braille, large print, ~~and~~
48 ~~audiocassette tape~~ tape, and other accessible copies of the ~~textbooks~~ instructional materials for
49 use in the local school administrative unit.

50 ...
51 **"§ 115C-98.5. Challenges to supplementary and instructional materials.**

1 (a) Local boards of education shall establish a community media advisory committee to
 2 investigate and evaluate challenges to supplementary and instructional materials.

3 (b) At a minimum, the committee shall include the following:

4 (1) A principal from a high school, middle school, and elementary school,
 5 respectively.

6 (2) A teacher from a high school, middle school, and elementary school,
 7 respectively.

8 (3) A parent of a student in high school or middle school and a parent of a student
 9 in elementary school.

10 (4) A school library media coordinator from a high school, middle school, and
 11 elementary school, respectively.

12 (c) Challenges to instructional and supplemental materials shall be made in writing and
 13 submitted to the local board of education. The challenge shall specify that the material being
 14 challenged is one or more of the following:

15 (1) Obscene.

16 (2) Inappropriate to the age, maturity, or grade level of the students.

17 (3) Not aligned with the standard course of study.

18 (d) The local board of education and the media advisory committee shall only investigate
 19 and evaluate challenges submitted by a parent of a student enrolled in a school governed by the
 20 board, a teacher employed by the board, or a resident of the area of assignment for the board.

21 (e) Within two weeks of the filing of the challenge, the media advisory committee shall
 22 hold a hearing and provide the challengers an opportunity to present their concerns to the
 23 committee. The committee may, in the committee's discretion, request additional information on
 24 the subject matter at the hearing from experts employed by the local school administrative unit.
 25 Within two weeks of the hearing, the committee shall make a recommendation to the local board
 26 of education on whether the challenge has merit and whether the challenged material should be
 27 retained or removed as unfit material. The committee's determination shall be limited to
 28 considerations of whether the material is unfit on the specific grounds of the material being (i)
 29 obscene, (ii) inappropriate to the age, maturity, or grade level of the students, or (iii) not aligned
 30 with the standard course of study.

31 (f) At the next meeting of the local board of education after the media advisory
 32 committee's recommendation is received, the local board shall determine whether the challenge
 33 has merit and whether the challenged material should be retained or removed as unfit material.

34 (g) The local board, at all times, has sole authority and discretion to determine whether a
 35 challenge has merit and whether challenged material should be retained or removed. The decision
 36 of the board is not appealable.

37 **"§ 115C-99. Legal custodians of ~~textbooks~~ instructional materials furnished by State.**

38 Local boards of education are the custodians of all ~~textbooks~~ instructional materials
 39 purchased by the local boards with State funds. They shall provide adequate and safe storage
 40 facilities for the proper care of ~~these textbooks~~ the instructional materials and emphasize to all
 41 students the necessity for proper care of ~~textbooks~~ instructional materials.

42 **"§ 115C-100. Rental fees for ~~textbooks~~ instructional materials prohibited; damage fees**
 43 **authorized.**

44 No local board of education may charge any pupil a rental fee for the use of ~~textbooks~~.
 45 instructional materials. A pupil's parents or legal guardians may be charged damage fees for
 46 abuse or loss of ~~textbooks~~ instructional materials under rules adopted by the State Board of
 47 Education. All money collected from the sale of ~~textbooks~~ instructional materials purchased with
 48 State funds under the provisions of this Part shall be paid annually as collected to the State Board
 49 of Education.

50 **"§ 115C-101. Duties and authority of superintendents of local school administrative units.**

1 The superintendent of each local school administrative unit, as an official agent of the State
 2 Board of Education, shall administer the provisions of this Part and the rules and regulations of
 3 the Board insofar as they apply to ~~his-the local school administrative unit~~. The superintendent of
 4 each local school administrative unit shall have authority to require the cooperation of principals
 5 and teachers so that the children may receive the best possible service, and so that all the ~~books~~
 6 instructional materials and moneys may be accounted for properly. If any principal or teacher
 7 fails to comply with the provisions of this section, ~~his-the superintendent shall withhold his-the~~
 8 salary vouchers of the principal until the duties imposed by this section have been performed.

9 If any superintendent fails to comply with the provisions of this section, the State
 10 Superintendent, as secretary to the State Board of Education, shall notify the State Board of
 11 Education and the State Treasurer. The State Board and the State Superintendent shall withhold
 12 the superintendent's salary vouchers, and the State Treasurer shall make no payment until the
 13 State Superintendent ~~notifies him-confirms~~ that the provisions of this section have been complied
 14 with.

15 **"§ 115C-102. Right to purchase; disposal of ~~textbooks and~~ instructional materials.**

16 (a) Any parent, guardian, or person in loco parentis may purchase any instructional
 17 material needed for any child in the public schools of the State from the board of education of
 18 the local school administrative unit in which the child is ~~enrolled or, in the case of basic~~
 19 ~~textbooks, from the State Board of Education-enrolled.~~

20 (b) Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4),
 21 or any other provision of law, the State Board of Education may adopt rules authorizing local
 22 boards of education to dispose of discontinued instructional ~~material, including State-adopted~~
 23 ~~textbooks-material."~~

24 **SECTION 7.9.(c)** G.S. 115C-11(d) reads as rewritten:

25 "(d) Voting. – No voting by proxy shall be permitted. ~~Except in voting on textbook~~
 26 ~~adoptions, a~~ A majority of those present and voting shall be necessary to carry a motion and a
 27 roll call vote shall be had on each motion. A record of all such votes shall be kept in the minute
 28 book."

29 **SECTION 7.9.(d)** G.S. 115C-11(e) is repealed.

30 **SECTION 7.9.(e)** G.S. 115C-12(9)b. is repealed.

31 **SECTION 7.9.(f)** G.S. 115C-12(18)d. reads as rewritten:

32 "d. The State Board of Education shall modify the Uniform Education
 33 Reporting System to provide clear, accurate, and standard information
 34 on the use of funds at the unit and school level. The plan shall provide
 35 information that will enable the General Assembly to determine State,
 36 local, and federal expenditures for personnel at the unit and school
 37 level. The plan also shall allow the tracking of expenditures for
 38 ~~textbooks,—~~ instructional materials, educational supplies and
 39 equipment, capital outlay, at-risk students, and other purposes."

40 **SECTION 7.9.(g)** G.S. 115C-47 reads as rewritten:

41 **"§ 115C-47. Powers and duties generally.**

42 In addition to the powers and duties designated in G.S. 115C-36, local boards of education
 43 shall have the power or duty:

44 ...

45 (6) To Regulate Fees, Charges and Solicitations. – Local boards of education shall
 46 adopt rules and regulations governing solicitations of, sales to, and
 47 fund-raising activities conducted by, the students and faculty members in
 48 schools under their jurisdiction, and no fees, charges, or costs shall be
 49 collected from students and school personnel without approval of the board of
 50 education as recorded in the minutes of ~~said-the~~ board; provided, this
 51 subdivision shall not apply to such ~~textbooks-instructional material~~ fees as are

determined and established by the State Board of Education. The local board of education shall publish a schedule of fees, charges, and solicitations approved by the local board on the local school administrative unit's Web site by October 15 of each school year and, if the schedule is subsequently revised, within 30 days following the revision.

...

(33) To Approve and Use Supplemental Materials. – Local boards of education shall have sole authority to select and procure supplementary instructional materials, whether or not the materials contain commercial advertising, pursuant to the provisions of G.S. 115C-98(b).

(33a) ~~To Approve and Use Textbooks Not Adopted by State Board of Education-Instructional Materials.~~ – Local boards of education shall have the authority to select, procure, and use ~~textbooks not adopted by the State Board of Education~~ instructional materials as provided in ~~G.S. 115C-98(b1)~~, G.S. 115C-98.

...."

SECTION 7.9.(h) G.S. 115C-76.55 reads as rewritten:

"§ 115C-76.55. Age-appropriate instruction for grades kindergarten through fourth grade.

Instruction on gender identity, sexual activity, or sexuality shall not be included in the curriculum provided in grades kindergarten through fourth grade, regardless of whether the information is provided by school personnel or third parties. For the purposes of this section, curriculum includes the standard course of study and support materials, locally developed curriculum, supplemental instruction, and ~~textbooks and~~ other supplementary materials, but does not include responses to student-initiated questions."

SECTION 7.9.(i) G.S. 115C-81.5(b)(3) is repealed.

SECTION 7.9.(j) G.S. 115C-81.25(b)(3) is repealed.

SECTION 7.9.(k) G.S. 115C-81.25(d) reads as rewritten:

"(d) Parental Review. – The State Board of Education shall make available to all local school administrative units for review by the parents and legal guardians of students enrolled at those units any State-developed objectives for instruction, ~~any approved textbooks,~~ the list of reviewed materials, and any other State-developed or approved materials that pertain to or are intended to impart information or promote discussion or understanding in regard to the prevention of sexually transmitted diseases, including HIV/AIDS, to the avoidance of out-of-wedlock pregnancy, or to the reproductive health and safety education curriculum. The review period shall extend for at least 60 days before use."

SECTION 7.9.(l) G.S. 115C-105.25(b)(12) reads as rewritten:

"(12) Funds allotted for ~~textbooks and digital resources~~ instructional materials may only be used ~~for the purchase of textbooks and digital resources.~~ to acquire instructional and supplemental materials as identified in Part 3 of Article 8 of this Chapter and to acquire software necessary for the use of the instructional or supplemental materials. These funds shall not be transferred out of the allotment for any other purpose."

SECTION 7.9.(m) G.S. 115C-242(3) reads as rewritten:

"(3) The board of education of any local school administrative unit may operate the school buses of such unit one day prior to the opening of the regular school term for the transportation of pupils and employees to and from the school to which such pupils are assigned or in which they are enrolled and such employees are employed, for the purposes of the registration of students, the organization of classes, the distribution of ~~textbooks,~~ instructional materials, and such other purposes as will, in the opinion of the superintendent of the

1 schools of such unit, promote the efficient organization and operation of such
2 public schools."

3 **SECTION 7.9.(n)** G.S. 115C-271(d)(2) reads as rewritten:

4 "(2) Local funds appropriated for teachers, ~~textbooks,~~ instructional materials,
5 classroom materials, supplies, and equipment are not transferred or used for
6 this purpose."

7 **SECTION 7.9.(o)** G.S. 115C-384(c) reads as rewritten:

8 "(c) Rental Fees for ~~Textbooks—Instructional Materials~~ Prohibited; Damage Fees
9 Authorized. – No rental fees are permitted for the use of textbooks, but damage fees may be
10 collected pursuant to the provisions of G.S. 115C-100."

11 **SECTION 7.9.(p)** G.S. 115C-390.2(l)(1) reads as rewritten:

12 "(1) The opportunity to take ~~textbooks~~ instructional materials and school-furnished
13 digital devices home for the duration of the absence."

14 **SECTION 7.9.(q)** G.S. 115C-390.5(c)(1) reads as rewritten:

15 "(1) The opportunity to take ~~textbooks—instructional materials~~ home for the
16 duration of the suspension."

17 **SECTION 7.9.(r)** G.S. 115C-398 reads as rewritten:

18 "**§ 115C-398. Damage to school buildings, furnishings, ~~textbooks,~~ instructional materials.**

19 Students and their parents or legal guardians may be liable for damage to school buildings,
20 furnishings and ~~textbooks—instructional materials~~ pursuant to the provisions of G.S. 115C-523,
21 115C-100 and 14-132."

22 **SECTION 7.9.(s)** G.S. 143A-48 is repealed.

23 **SECTION 7.9.(t)** No further funds shall be allocated into the State Textbook fund.

24 The Department of Public Instruction, in coordination with the Office of State Budget and
25 Management, shall ensure that the fund is dissolved once all funds are expended.

26 **SECTION 7.9.(u)** Effective July 1, 2025, there is established the Instructional
27 Materials funding allotment within the State Public School Fund. The State Board of Education
28 shall establish the purposes for which the funds within the Instructional Materials funding
29 allotment may be used for the purchase and maintenance of instructional and supplemental
30 materials as identified in Part 3 of Article 8 of Chapter 115C of the General Statutes. Funds
31 allocated to the Instructional Materials funding allotment in fiscal years 2025-2026, 2026-2027,
32 and 2027-2028 shall not revert to the General Fund at the end of the fiscal year but shall remain
33 available until expended.

34 **SECTION 7.9.(v)** This section becomes effective July 1, 2025, and applies
35 beginning with the 2025-2026 school year.

36 37 **STABILIZATION OF LOW-WEALTH ALLOTMENT**

38 **SECTION 7.10.** The Department of Public Instruction shall examine the formula for
39 the supplemental funding in low-wealth counties allotment and develop a new funding model for
40 that allotment. The new model shall prioritize counties receiving more predictable allotments
41 year to year to avoid large differentials between consecutive school years. The model developed
42 pursuant to this section shall allocate no more than the funds allocated for low-wealth
43 supplemental funding in the 2025-2026 school year. The Department shall propose technical
44 adjustments for low-wealth supplemental funding to the State Board of Education for approval
45 before submitting the model to the Fiscal Research Division no later than February 15, 2026. The
46 technical adjustments shall include a list of any laws that would need to be adjusted or repealed
47 to allow for the new funding model to be implemented as well as a comparison of funding
48 received under the old model and the recommended new model, sorted by county.

49 50 **TECHNICAL ADJUSTMENT TO ADMINISTRATIVE LICENSURE REQUIREMENTS**

51 **SECTION 7.11.(a)** G.S. 115C-270.20(b) reads as rewritten:

1 "(b) Administrator Licenses. – The State Board shall establish rules for the issuance of the
2 following classes of administrator licenses, including required levels of preparation for each
3 classification:

- 4 (1) Administrator license. – A five-year renewable license issued to an individual
5 who meets all of the following requirements:
6 a. Holds a bachelor's degree.
7 b. Has successfully completed an approved administrator preparation
8 program.
9 c. Has at least four years of experience as a licensed professional
10 educator.
11 d. ~~Has~~ For individuals seeking a principal license, has submitted a
12 portfolio to the State Board for approval that meets criteria adopted by
13 the State Board.

14 "

15 **SECTION 7.11.(b)** This section is effective when it becomes law and applies to
16 applicants for licensure on or after that date.

18 VARIOUS EDUCATION REPORT CHANGES

19 **SECTION 7.12.(a)** G.S. 115C-12(25) is recodified as G.S. 115C-21(a)(10) and
20 reads as rewritten:

21 "(10) Duty to Report to Joint Legislative Education Oversight Committee. – Upon
22 the request of the Joint Legislative Education Oversight Committee, the ~~State~~
23 ~~Board-Superintendent of Public Instruction~~ shall examine and evaluate issues,
24 programs, policies, and fiscal information, and shall make reports to that
25 Committee. Furthermore, by ~~November 15-March 15~~ of each year, the ~~State~~
26 ~~Board-Superintendent of Public Instruction~~ shall submit reports to that
27 Committee regarding schools identified as low-performing, school
28 improvement plans found to significantly improve student performance,
29 personnel actions taken in low-performing schools, and recommendations for
30 additional legislation to improve student performance and increase local
31 flexibility."

32 **SECTION 7.12.(b)** Subdivision (4) of subsection (d) of G.S. 115C-81.45 is repealed.

33 **SECTION 7.12.(c)** Subsection (b) of Section 7.17 of S.L. 2018-5 is repealed.

34 **SECTION 7.12.(d)** Subsection (d) of Section 7.32 of S.L. 2017-57 is repealed.

35 **SECTION 7.12.(e)** G.S. 115C-12(48) reads as rewritten:

36 "(48) Computer Science Reporting. – The State Board of Education shall report
37 annually by ~~November 15-March 15~~ to the Joint Legislative Education
38 Oversight Committee, the Senate Appropriations Committee on
39 Education/Higher Education, and the House Appropriations Committee on
40 Education on the following data related to computer science participation. For
41 each item, the report shall include (i) statewide data for the current school
42 year, and the four years prior when data is available, to establish trends in
43 computer science instruction and (ii) data for the current school year for each
44 public school unit, disaggregated by school within that unit:

45 "

46 **SECTION 7.12.(f)** G.S. 115C-316.2 is repealed.

47 **SECTION 7.12.(g)** G.S. 115C-316.5(a) reads as rewritten:

48 "(a) For the purposes of this section, the term "school health personnel" refers to ~~the same~~
49 positions listed in G.S. 115C-316.2(a): school psychologists, school counselors, school nurses,
50 and school social workers."

51 **SECTION 7.12.(h)** G.S. 115C-299.5 reads as rewritten:

1 "**§ 115C-299.5. Duty to monitor ~~the state of the teaching profession,~~ teacher attrition and**
 2 **mobility.**

3 ...

4 (b) ~~State of the Teaching Profession~~ Teacher Attrition and Mobility Report. – The State
 5 Board of Education shall monitor and compile an annual report to be submitted by the
 6 Department of Public Instruction by December 15–February 15 annually on the ~~state of the~~
 7 attrition and mobility of teachers in the teaching profession in North Carolina that includes data
 8 on the decisions of teachers to leave the teaching profession and vacancies in teaching positions
 9 as provided in subsections (c) and (e) of this section. The State Board shall adopt standard
 10 procedures for each local board of education to use in requesting information required by this
 11 report and shall require each local board of education to report the information to the State Board
 12 in a standard format adopted by the State Board."

13 **SECTION 7.12.(i)** G.S. 115C-12(22), as amended by S.L. 2023-134, reads as
 14 rewritten:

15 "(22) Duty to Monitor the ~~State of the Teaching Attrition and Mobility of Teachers~~
 16 and ~~the State of the School Administration Professions~~ Profession in North
 17 Carolina. – The State Board of Education shall monitor and compile an annual
 18 report on the ~~state of the teaching attrition and mobility of teachers and the~~
 19 state of the school administration professions profession in North Carolina, as
 20 provided in G.S. 115C-289.2 and G.S. 115C-299.5."

21 **SECTION 7.12.(j)** G.S. 115C-289.2(d) reads as rewritten:

22 "(d) Report Consolidation. – The report required by this section shall be consolidated with
 23 ~~the report on the State of the Teaching Profession~~ Teacher Attrition and Mobility Report required
 24 by G.S. 115C-299.5."

25 **SECTION 7.12.(k)** G.S. 115C-269.50 reads as rewritten:

26 "**§ 115C-269.50. EPP report cards.**

27 The State Board shall create an annual report card for each EPP that, at a minimum,
 28 summarizes the information collected in the annual performance reports, as set forth in
 29 G.S. 115C-269.35(b). The report cards shall provide user-friendly access to the public, and shall
 30 provide the ability to easily compare annual report card information between EPPs, including
 31 performance and other data reported by each EPP, as provided in G.S. 115C-269.35(b). The State
 32 Board shall make the report cards available to the public through the State Board's Internet ~~Web~~
 33 site ~~website~~ on an annual basis beginning ~~December 15, 2019, February 15, 2026,~~ and the
 34 Department of Public Instruction shall submit the report to the Joint Legislative Education
 35 Oversight Committee annually by that date."

36 **SECTION 7.12.(l)** Subsection (b) of Section 8.30 of S.L. 2015-241, as amended by
 37 Section 3.1(b) of S.L. 2019-165, is repealed.

38 **SECTION 7.12.(m)** G.S. 115C-450(d) reads as rewritten:

39 "(d) No later than ~~May 15, 2022, and every six months thereafter,~~ February 15 of each
 40 year, the Department of Public Instruction shall report all the following information to the Joint
 41 Legislative Education Oversight Committee, the Senate Appropriations Committee on
 42 Education/Higher Education, the House Appropriations Committee on Education, and the Fiscal
 43 Research Division:

44"

45 **SECTION 7.12.(n)** G.S. 115C-218.42(e) reads as rewritten:

46 "(e) Reporting. – No later than ~~March–August~~ 15 of each year in which funds are awarded
 47 under the Program, the Department shall report to the Joint Legislative Education Oversight
 48 Committee, the Joint Legislative Transportation Oversight Committee, the Senate
 49 Appropriations/Base Budget Committee, the House Committee on Appropriations, and the Fiscal
 50 Research Division on the administration of the Program, including at least the following
 51 information:

1 "

2 **SECTION 7.12.(o)** G.S. 115C-218.110(b) reads as rewritten:

3 "(b) The State Board of Education shall review and evaluate the educational effectiveness
4 of the charter schools authorized under this Article and the effect of charter schools on the public
5 schools in the local school administrative unit in which the charter schools are located. The Board
6 shall report annually no later than ~~June~~August 15 to the Joint Legislative Education Oversight
7 Committee on the following:

8 "

9 **SECTION 7.12.(p)** G.S. 115C-107.5 reads as rewritten:

10 "**§ 115C-107.5. Annual reports.**

11 The State Board shall ~~report~~send a copy of the annual report submitted as part of the State
12 Performance Plan and Annual Performance Report that is submitted to the United States
13 Department of Education and United States Office of Special Education Programs no later than
14 October 15 of each year to the Joint Legislative Education Oversight Committee on the
15 implementation of this Article and the educational performance of children with disabilities. The
16 report may be filed electronically. ~~Each annual report shall include the following information:~~

17 (1) ~~A copy of the following documents that were submitted, received, or made~~
18 ~~public during the year:~~

19 a. ~~The most recent State performance plan and any amendments to that~~
20 ~~plan submitted to the Secretary of Education.~~

21 b. ~~Compliance and monitoring reports submitted to the Secretary of~~
22 ~~Education.~~

23 c. ~~The annual report submitted to the Secretary of Education on the~~
24 ~~performance of the State under its performance plan.~~

25 d. ~~Any other information required under IDEA to be made available to~~
26 ~~the public.~~

27 (2) ~~An analysis of the educational performance of children with disabilities in the~~
28 ~~State and a summary of disputes under Part 1D of this Chapter.~~

29 (3) ~~Development and implementation of any policies related to improving~~
30 ~~outcomes for elementary and secondary school students with disabilities,~~
31 ~~including any changes related to the directives set forth in Section 8.30 of S.L.~~
32 ~~2015-241 as follows:~~

33 a. ~~Reforms related to IEP requirements.~~

34 b. ~~Transition services for students with disabilities from elementary to~~
35 ~~middle school, middle to high school, and high school to~~
36 ~~postsecondary education, and for employment opportunities and adult~~
37 ~~living options.~~

38 c. ~~Increased access to Future Ready Core Course of Study for students~~
39 ~~with disabilities.~~

40 d. ~~Model programs for use by local school administrative units to~~
41 ~~improve graduation rates and school performance of students with~~
42 ~~disabilities."~~

43 **SECTION 7.12.(q)** G.S. 115C-107.3 reads as rewritten:

44 "**§ 115C-107.3. Child find.**

45 (a) The Board shall require an annual census of all children with disabilities residing in
46 the State, subdivided for "identified" and "suspected" children with disabilities, to be taken in
47 each school year. Suspected children are those in the formal process of being evaluated or
48 identified as children with disabilities. The census shall be conducted annually and shall be
49 completed by October 15, submitted to the Governor and General Assembly and made available
50 to the public by January 15 annually. The census submitted to the General Assembly may be a

1 copy of any information or any report submitted to the federal government as part of compliance
2 with the Individuals with Disabilities Education Act pursuant to 20 U.S.C. § 1418.

3 (b) In taking the census, the Board requires the cooperation, participation, and assistance
4 of all local educational agencies. Therefore, each local educational agency shall cooperate and
5 participate with and assist the Board in conducting the census.

6 (c) The census shall include the number of children identified and suspected with
7 disabilities, their age, the nature of their disability, their county or city of residence, their local
8 school administrative unit residence, whether they are being provided special educational or
9 related services and if so by what local educational agency, the identity of each local educational
10 agency having children with disabilities in its care, custody, management, jurisdiction, control,
11 or programs, the number of children with disabilities being served by each local educational
12 agency, and any other information or data that the Board requires. The census shall be of children
13 with disabilities between the ages three through 21 but is not required to include children with
14 disabilities that have graduated from high school."
15

16 CHANGES TO LITERACY INSTRUCTION

17 **SECTION 7.13.(a)** G.S. 115C-83.6 reads as rewritten:

18 "**§ 115C-83.6. Facilitating early grade reading proficiency.**

19 (a) ~~Kindergarten, first, second, and third~~ Kindergarten through fifth grade students shall
20 be assessed with valid, reliable, formative, and diagnostic reading assessments made available to
21 local school administrative units by the State Board of Education pursuant to
22 G.S. 115C-174.11(a). Difficulty with reading development identified through administration of
23 formative and diagnostic assessments shall be addressed with literacy interventions outlined in
24 the student's Individual Reading Plan. Parents or guardians of first and second grade students
25 offered a reading camp as a literacy intervention shall be encouraged to enroll their student in the
26 reading camp provided by the local school administrative unit. Parents or guardians of a student
27 identified as demonstrating reading comprehension below grade level shall make the final
28 decision regarding a student's reading camp attendance.

29 (a1) Kindergarten through ~~third~~ fifth grade reading assessments shall yield data that can
30 be used with the Education Value-Added Assessment System (EVAAS) to analyze student data
31 to identify root causes for difficulty with reading development and to determine actions to address
32 them.

33 (a2) The Department of Public Instruction shall provide for EVAAS analysis all formative
34 and diagnostic assessment data collected pursuant to this section for kindergarten through ~~third~~
35 fifth grade. The Department shall use a uniform template for all data collected, and the template
36 shall be used each time data is provided. The template shall include clear designations for each
37 data component reported.

38 (b) Formative and diagnostic assessments and resultant literacy interventions shall
39 address oral language, phonological and phonemic awareness, phonics, vocabulary, fluency, and
40 comprehension using developmentally appropriate practices. These assessments may be
41 administered by computer or other electronic device.

42 (c) Local school administrative units are encouraged to partner with community
43 organizations, businesses, and other groups to provide volunteers, mentors, or tutors to assist
44 with the provision of literacy interventions that enhance reading development and proficiency."

45 **SECTION 7.13.(b)** G.S. 115C-83.6B(a) reads as rewritten:

46 "(a) An Individual Reading Plan (IRP) shall be developed for any student in kindergarten
47 through ~~third~~ fifth grade demonstrating difficulty with reading development based on the results
48 of either (i) the first diagnostic or formative assessment of the school year or (ii) the first
49 diagnostic or formative assessment of the second semester of the school year. The IRP shall be
50 continually adjusted based on multiple data sources as prescribed by the Department of Public
51 Instruction, indicating that the student is not progressing toward grade-level standards in one or

1 more major reading areas. Based on the most recently collected data, the IRP shall include the
2 following information, specific to the identified student:

- 3 (1) The specific reading skill deficiencies identified by assessment data.
- 4 (2) Goals and benchmarks for growth.
- 5 (3) The means by which progress will be monitored and evaluated.
- 6 (4) The specific additional literacy interventions the student will receive.
- 7 (5) The Science of Reading-based instructional programming the teacher will
8 implement.
- 9 (6) Any additional services the teacher deems appropriate to accelerate the
10 student's reading skill and development."

11 **SECTION 7.13.(c)** G.S. 115C-83.9(a) reads as rewritten:

12 "(a) Parents or guardians shall be notified in writing, and in a timely manner, that the
13 student shall be retained, unless he or she is exempt from mandatory retention for good cause, if
14 the student is not demonstrating reading proficiency by the end of third grade. Parents or
15 guardians shall receive this notice when a kindergarten, first, second, or third grade student (i) is
16 demonstrating difficulty with reading development; or (ii) is not reading at grade level.
17 Additionally, parents or guardians shall receive notice when a fourth or fifth grade student is
18 demonstrating difficulty with reading development or is not reading on grade level as determined
19 by assessments given pursuant to G.S. 115C-83.6."

20 **SECTION 7.13.(d)** G.S. 115C-83.10(b) reads as rewritten:

21 "(b) Each local board of education shall report annually in writing to the State Board of
22 Education by September 1 of each year the following information on the prior school year:

- 23 (1) A description of all literacy interventions provided to students who have been
24 retained under G.S. 115C-83.7(a).
- 25 (2) The number of first and second grade students attending a reading camp
26 offered by the local board.
- 27 (3) The license area or areas, years of licensed teaching experience, grade level
28 assignment, and any other specific subject-area assignments of each teacher
29 providing instruction at a reading camp.
- 30 (4) The number and percentage of teachers providing instruction at a reading
31 camp who were paid a reading performance bonus during the school year
32 immediately preceding the reading camp and the grade level on which the
33 bonus was based.
- 34 (5) The number of kindergarten through ~~third~~ fifth grade students with an
35 Individual Reading Plan."

36 **SECTION 7.13.(e)** G.S. 115C-174.11(a) reads as rewritten:

37 "(a) Assessment Instruments for ~~Kindergarten, First, Second, and Third~~ Kindergarten
38 Through Fifth Grades. – The State Board of Education shall develop, adopt, and provide to the
39 local school administrative units developmentally appropriate individualized assessment
40 instruments aligned with the standard course of study and Part 1A of Article 8 of this Chapter for
41 ~~the kindergarten, first, second, and third grades.~~ kindergarten through fifth grade. Local school
42 administrative units shall use these assessment instruments provided to them by the State Board
43 for ~~kindergarten, first, second, and third~~ kindergarten through fifth grade students to assess
44 progress, diagnose difficulties, and inform instruction and remediation needs. Local school
45 administrative units shall not use standardized tests for summative assessment of kindergarten,
46 first, and second grade students except as required as a condition of receiving federal grants."

47 **SECTION 7.13.(f)** The Department of Public Instruction shall use funds
48 appropriated for this purpose in this act to contract with Lexia Learning Systems, LLC, to provide
49 Lexia Aspire Professional Learning to all English Language Arts and Exceptional Children
50 teachers who teach students in grades six through eight in schools that are identified as
51 low-performing schools based on data from the 2024-2025 school year. Teachers that complete

1 training pursuant to this subsection shall receive stipends of up to two hundred dollars (\$200.00)
2 for the 2025-2026 school year.

3 **SECTION 7.13.(g)** The State Board of Education shall develop literacy standards
4 for grades six through eight to align with the professional learning provided pursuant to
5 subsection (f) of this section.
6

7 **FISCAL RESPONSIBILITY AND K-12 TECH PLANNING**

8 **SECTION 7.14.(a)** Part 3A of Article 8 of Chapter 115C of the General Statutes is
9 amended by adding new sections to read:

10 **"§ 115C-102.10. Technology costs considerations.**

11 The State Board of Education shall adopt rules requiring all public school units to evaluate
12 the following when acquiring technology, computer hardware, and software:

- 13 (1) The long-term cost of ownership, including costs of repairing the technology,
14 computer hardware, or software.
- 15 (2) Any flexibility for innovation during the life of the technology, computer
16 hardware, or software.
- 17 (3) Any anticipated resale or salvage value at the end of the target life cycle for
18 the technology, computer hardware, or software based on the average resale
19 or salvage value of similar technology, computer hardware, or software as a
20 percentage of the initial cost of purchase.

21 **"§ 115C-102.11 Break/fix rate reporting requirement.**

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

- 23 (1) Break/fix rate. – The percentage obtained by dividing the number of school
24 technology devices reported as malfunctioning or needing repair due to
25 physical damage, hardware failure, or other breakage incidents prior to the
26 stated life cycle period, not covered by insurance or a policy plan period, by
27 the total number of school technology devices in operation during that period.
- 28 (2) School technology device. – Any electronic or computerized equipment
29 provided for educational purposes in a public school unit, including
30 computers, tablets, interactive whiteboards, and similar devices or anything
31 considered a digital device for purposes of the digital learning dashboard
32 pursuant to G.S. 115C-102.9.

33 (b) Each governing body of a public school unit shall submit a report on the following
34 information to the State Board of Education by August 15 annually:

- 35 (1) The break/fix rate of the school technology devices in the public school unit
36 for the previous school year.
- 37 (2) The total number of school technology devices currently in operation in the
38 public school unit.
- 39 (3) The total number of school technology devices in the public school unit
40 requiring repair that (i) underwent repair or (ii) were no longer in service
41 during the previous school year.
- 42 (4) The total amount of funds spent to repair or replace school technology devices
43 during the previous school year.

44 (c) The State Board of Education shall report to the Joint Legislative Education Oversight
45 Committee by November 15 annually on the break/fix rate of school technology devices across
46 all public school units based on the reports submitted by the governing bodies in accordance with
47 subsection (b) of this section. This report shall include a summary of the data reported by each
48 governing body and recommendations to reduce break/fix rates in the future."

49 **SECTION 7.14.(b)** The first reports from governing bodies of public school units
50 required by G.S. 115C-102.11(b), as enacted by this section, shall be submitted no later than
51 August 15, 2026, based on data collected during the 2025-2026 school year. The first report from

1 the State Board of Education required by G.S. 115C-102.11(c), as enacted by this section, shall
2 be submitted no later than November 15, 2026.

3 **SECTION 7.14.(c)** G.S. 115C-12 is amended by adding a new subdivision to read:

4 "(50) To Require Evaluation of Technology Costs. – The State Board shall adopt
5 rules governing public school units evaluating technology costs in accordance
6 with G.S. 115C-102.10."

7 **SECTION 7.14.(d)** G.S. 115C-47 is amended by adding new subdivisions to read:

8 "(70) To Evaluate Technology Costs. – A local board of education shall adopt a
9 policy requiring the evaluation of technology costs considerations adopted by
10 the State Board of Education pursuant to G.S. 115C-102.10.

11 (71) To Report on Break/Fix Rate. – A local board of education shall report
12 annually to the State Board of Education on the break/fix rate of school
13 technology devices in accordance with G.S. 115C-102.11."

14 **SECTION 7.14.(e)** G.S. 115C-150.12C is amended by adding new subdivisions to
15 read:

16 "(37) Evaluate technology costs. – The board of trustees shall adopt a policy
17 requiring the evaluation of technology costs considerations adopted by the
18 State Board of Education pursuant to G.S. 115C-102.10.

19 (38) Report on break/fix rate. – The board of trustees shall report annually to the
20 State Board of Education on the break/fix rate of school technology devices
21 used in the school in accordance with G.S. 115C-102.11."

22 **SECTION 7.14.(f)** Part 2 of Article 14A of Chapter 115C of the General Statutes is
23 amended by adding a new section to read:

24 "**§ 115C-218.33. School technology.**

25 (a) A charter school shall adopt a policy requiring the evaluation of technology costs
26 considerations adopted by the State Board of Education pursuant to G.S. 115C-102.10.

27 (b) A charter school shall report annually to the State Board of Education on the break/fix
28 rate of school technology devices used in the school in accordance with G.S. 115C-102.11."

29 **SECTION 7.14.(g)** G.S. 115C-238.66 is amended by adding new subdivisions to
30 read:

31 "(18a) The board of directors shall adopt a policy requiring the evaluation of
32 technology costs considerations adopted by the State Board of Education
33 pursuant to G.S. 115C-102.10.

34 (18b) The board of directors shall report annually to the State Board of Education
35 on the break/fix rate of technology used in the school in accordance with
36 G.S. 115C-102.11."

37 **SECTION 7.14.(h)** G.S. 116-239.8(b) is amended by adding new subdivisions to
38 read:

39 "(21a) Evaluate technology costs. – The chancellor shall adopt a policy requiring the
40 evaluation of technology costs considerations adopted by the State Board of
41 Education pursuant to G.S. 115C-102.10.

42 (21b) Report on break/fix rate. – The chancellor shall report annually to the State
43 Board of Education on the break/fix rate of technology used in the school in
44 accordance with G.S. 115C-120.11."

45 **SECTION 7.14.(i)** This section is effective when it becomes law and applies
46 beginning with the 2025-2026 academic year.

47
48 **AUTOMATIC ENROLLMENT IN ADVANCED ENGLISH LANGUAGE ARTS**
49 **COURSES**

50 **SECTION 7.15.(a)** G.S. 115C-81.36 reads as rewritten:

1 "§ 115C-81.36. Advanced courses in ~~mathematics~~ mathematics and English Language

2 Arts.

3 (a) When practicable, local boards of education shall offer advanced learning
4 opportunities ~~in mathematics~~ in grades three through five, and advanced courses ~~in mathematics~~
5 in all grades six and higher. For the purposes of this section, advanced learning opportunities are
6 those services and curricular modifications in mathematics and English Language Arts for
7 academically or intellectually gifted students approved as part of the local plan, as required by
8 ~~G.S. 115C-150.7~~ G.S. 115C-150.7, and advanced courses are advanced courses in mathematics
9 and English Language Arts.

10 (a1) When advanced learning opportunities are offered ~~in mathematics~~ in grades three
11 through five, any student scoring at the highest level on the corresponding end-of-grade test shall,
12 for the next school year, be provided advanced learning opportunities ~~in mathematics~~ approved
13 for that student's grade level. ~~No student who qualifies under this subsection shall be removed~~
14 ~~from the advanced learning opportunity provided to the student unless a parent or guardian of the~~
15 ~~student provides written consent for the student to be excluded or removed after being adequately~~
16 ~~informed that the student's placement was determined by the student's achievement on the~~
17 ~~previous end-of-grade test.~~

18 (b) When advanced courses are offered ~~in mathematics~~ in grades six and higher, any
19 student scoring at the highest level on the corresponding end-of-grade or end-of-course test for
20 the ~~mathematics~~ course in which the student was most recently enrolled shall be enrolled in the
21 advanced course for the next ~~mathematics~~ course in which the student is enrolled. ~~A student in~~
22 ~~seventh grade scoring at the highest level on the seventh grade mathematics end-of-grade test~~
23 ~~shall be enrolled in a high school level mathematics course in eighth grade. Local boards of~~
24 ~~education may provide supplemental content enrichment, which may include the administration~~
25 ~~of diagnostic assessments, to students enrolled in a high school level mathematics course. No~~
26 ~~student who qualifies under this subsection shall be removed from the advanced or high school~~
27 ~~mathematics course in which the student is enrolled unless a parent or guardian of the student~~
28 ~~provides written consent for the student to be excluded or removed from that course after being~~
29 ~~adequately informed that the student's placement was determined by the student's achievement~~
30 ~~on the previous end-of-grade or end-of-course test.~~

31 (b1) When a high school mathematics course is offered in eighth grade, a student in
32 seventh grade scoring at the highest level on the seventh grade mathematics end-of-grade test
33 shall be enrolled in a high school level mathematics course in eighth grade. Local boards of
34 education may provide supplemental content enrichment, which may include the administration
35 of diagnostic assessments, to students enrolled in a high school level mathematics course.

36 (c) ~~By December 15, 2020, December 15, 2025, and annually thereafter, the Department~~
37 ~~of Public Instruction shall submit a report to the Joint Legislative Education Oversight~~
38 ~~Committee containing data collected for the current school year on the number and demographics~~
39 ~~number, demographics, and socioeconomic status of students who were eligible for advanced~~
40 ~~mathematics courses under this section, including high school level mathematics courses in~~
41 ~~eighth grade, and of those students, the number and demographics number, demographics, and~~
42 ~~socioeconomic status of those who were placed in advanced mathematics courses and were not~~
43 ~~placed in advanced mathematics courses. The report shall include information on the type and~~
44 ~~format of advanced mathematics courses provided and shall also include any feedback provided~~
45 ~~by local boards of education on the implementation of this section.~~

46 (d) The Department of Public Instruction shall provide guidance to local boards of
47 education on how to best develop programming and courses to ensure all impacted students
48 receive rigorous, academically appropriate instruction in ~~mathematics~~ mathematics and English
49 Language Arts.

50 (e) No student who qualifies for advanced learning opportunities or advanced courses
51 under this section shall be removed from the advanced learning opportunity or advanced course

1 provided to the student unless a parent or guardian of the student provides written consent for the
2 student to be excluded or removed after being adequately informed that the student's placement
3 was determined by the student's achievement on the previous end-of-grade or end-of-course test.
4 Local boards of education may provide supplemental content enrichment, which may include the
5 administration of diagnostic assessments, to students enrolled in advanced courses."

6 **SECTION 7.15.(b)** This section is effective when it becomes law and applies
7 beginning with the 2025-2026 school year.

9 **HIGHLY EFFECTIVE LIMITED LICENSE TEACHERS**

10 **SECTION 7.16.(a)** G.S. 115C-270.15 reads as rewritten:
11 **"§ 115C-270.15. Examination requirements.**

12 ...
13 (e) Conversion to Continuing Professional License. – The Except as provided in
14 subsection (f) of this section, the State Board shall not convert an ~~IPL or RL~~ IPL, RL, or limited
15 license to a continuing professional license for a teacher who has not fulfilled the examination
16 requirements of this section.

17 (f) Waiver of Examination Requirements for Certain Individuals with Limited Licenses.
18 – The State Board shall convert a limited license to a continuing professional license for a teacher
19 who has available growth data under the Education Value-Added Assessment System (EVAAS)
20 and has a positive average growth score for two of the three most recent years."

21 **SECTION 7.16.(b)** This section is effective when it becomes law and applies to
22 limited licenses expiring on or after that date.

24 **COMPETENCY-BASED HIGH SCHOOL/HEALTHCARE AND HIGH-TECH** 25 **PATHWAYS PROGRAM**

26 **SECTION 7.17.(a)** Program Established; Purpose. – There is established the
27 Competency-Based High School/Healthcare and High-Tech Pathways Program (Program). The
28 purpose of the Program is to create pathways that will utilize competency-based education
29 (CBE). Pathways will result in obtaining either an associate degree or an industry recognized
30 credential, certification, or licensure based on the student's goal of employment or enrollment.
31 Students will decide their college or career track at the end of their junior year with an initial
32 emphasis on healthcare preparation.

33 **SECTION 7.17.(b)** Participants. – Mooresville Graded School District (MGSD)
34 shall partner with Mitchell Community College (MCC) to implement the Program.

35 **SECTION 7.17.(c)** Program Time Line. – MGSD, in collaboration with MCC, shall
36 contract with an organization with demonstrated expertise in designing and implementing
37 learner-centered, modular, and competency-based high school programs that align with emerging
38 and high-tech career pathways. The organization shall have experience in co-designing stackable
39 credentials with local education agencies and higher education partners and a documented track
40 record of developing digital infrastructure that supports student-paced progression,
41 interdisciplinary learning, and real-world skill acquisition. This expert partner shall assist in
42 developing a framework for the Program, including course design, sequencing, credentialing
43 structure, and other elements necessary for personalized student progression during the
44 2025-2026 school year. Students will have the opportunity to participate in a pathway provided
45 by the Program by the 2027-2028 school year at the latest.

46 **SECTION 7.17.(d)** Program Flexibilities. – Notwithstanding any provision of law
47 to the contrary, the following flexibilities shall be available to Program participants:

48 (1) MGSD may offer Credit by Demonstrated Mastery assessments and CTE
49 Proof of Learning assessments outside of existing State testing windows.

- 1 (2) MCC may enroll MGSD students in community college courses prior to their
2 eleventh grade year without the student meeting the requirements for ninth
3 and tenth grade students pursuant to subdivision (4) of G.S. 115D-20.
- 4 (3) Students participating in the Program shall have access to all community
5 college courses at MCC, regardless of pathway selection.
- 6 (4) MGSD may replace any high school graduation credit requirement, except
7 those outlined in this subdivision, with either community college courses
8 offered by MCC or locally developed CBE courses that are consistent with
9 the student's pathway. MGSD shall not replace any graduation credit
10 requirements in the following subject areas:
- 11 a. English.
12 b. Mathematics.
13 c. Science.
14 d. Social Studies.
- 15 (5) MGSD may operate any high school in the local school administrative unit
16 consistent with the flexibilities of a school operating under a restart model
17 pursuant to G.S. 115C-105.37B(a)(2).

18 **SECTION 7.17.(e)** Selection of Third-Party Vendor. – MGSD shall select a
19 third-party vendor (Vendor) that is an educational support provider with a nationally recognized,
20 research-based instructional and leadership framework, including a High Reliability School
21 model, a taxonomy of educational objectives aligned to classroom strategies, and a system for
22 implementing personalized competency-based education. The provider shall have published
23 extensively in peer-reviewed and practitioner literature, have an established track record of
24 working directly with K-12 schools and districts across multiple states, and offer professional
25 development services, implementation support, and instructional resources developed and led by
26 a founding education researcher with over four decades of influence in curriculum, instruction,
27 and assessment.

28 **SECTION 7.17.(f)** MGSD Partnership with Vendor. – MGSD shall partner with the
29 Vendor selected pursuant to subsection (e) of this section to develop standards-aligned
30 proficiency scales for all content areas in grades nine through 12 to ensure educators in the
31 participating schools have the tools necessary to successfully transition to CBE approaches. The
32 Vendor shall provide professional development and coaching to the schools in MGSD to ensure
33 educators can engage in learning about CBE approaches, including implementation of the
34 proficiency scales developed by MGSD.

35 **SECTION 7.17.(g)** Funding. – Of the funds appropriated to the Department of Public
36 Instruction allocated to MGSD pursuant to this section, MGSD shall use the funds for the
37 following purposes:

- 38 (1) To contract with experts in CBE and designing stackable credentials pursuant
39 to subsection (c) of this section.
- 40 (2) To hire one additional staff member at MGSD to oversee implementation of
41 the Program.
- 42 (3) To partner with a Vendor pursuant to subsection (f) of this section.

43 44 **LIGHTHOUSE MATH PROJECT**

45 **SECTION 7.18.(a)** Project Established; Purpose. – There is established the
46 Lighthouse Math Project (Project). The purpose of the Project is to increase the percentage of
47 high school students who are (i) eligible to complete college level mathematics upon graduation
48 from high school and (ii) able to complete college level math either through dual enrollment
49 while in high school or within the first year of college enrollment.

50 **SECTION 7.18.(b)** Project Participants. – Wake Technical Community College
51 (Wake Tech) shall partner with Wake County Public School System (WCPSS) for high school

1 students at East Wake High School and Knightdale High School to be eligible to participate in
2 the Project at the Wake Tech East campus of Wake Tech. Wake Tech and WCPSS shall partner
3 with SparkNC to align the Project participants' ongoing efforts at the Wake Tech East campus
4 with the design and implementation of the Project.

5 **SECTION 7.18.(c)** Project Commitments. – WCPSS, in collaboration with Wake
6 Tech, shall contract with Khan Academy, Inc. (Khan), for use of the artificial intelligence student
7 tutoring program, Khanmigo. Students enrolling at participating high schools shall have access
8 to Khanmigo from the time of enrollment in the high school and continuing through their
9 attendance at Wake Tech if the student chooses to enroll at Wake Tech East. Wake Tech shall
10 collaborate with Khan to do the following:

- 11 (1) Develop and deliver at least one Khanmigo-centered gateway college math
12 course to be offered to high school students at participating high schools to be
13 completed as a college level math course. This course shall also be available
14 to students who graduate from participating high schools and enroll in the
15 courses at Wake Tech East.
- 16 (2) Develop a Khanmigo-centered developmental math course sequence that will
17 be provided by Wake Tech faculty to students from participating high schools
18 in one of the following formats:
 - 19 a. As part of a Career and College Promise Career Ready Pathway.
 - 20 b. As supplement to a Career and College Promise Pathway.
 - 21 c. As a summer bridge program available to students prior to or
22 subsequent to their junior and senior years of high school.
 - 23 d. As a community college course during the first semester of enrollment
24 at Wake Tech.

25 **SECTION 7.18.(d)** Modular Math Course. – As part of the Project, Khan, in
26 consultation with Wake Tech and WCPSS, shall work to develop a self-paced, competency-based
27 modular math course with appropriate student diagnostics and student assessments based on the
28 college readiness math competencies provided as part of the Project. It is the intent that students
29 successfully demonstrating college readiness math competencies will be eligible to enroll in
30 college level math courses.

31 **SECTION 7.18.(e)** Funding; DPI. – Of the funds appropriated from the General
32 Fund to the Department of Public Instruction, the sum of up to five hundred thousand dollars
33 (\$500,000) in nonrecurring funds for the 2025-2026 fiscal year shall be used to contract with
34 Khan for licenses for the Khanmigo application and to create the course developed pursuant to
35 subdivision (1) of subsection (c) of this section. Funds appropriated for the purposes laid out in
36 this section shall not revert but shall remain available to accomplish the purposes of this section
37 until the end of the 2026-2027 fiscal year.

38 **SECTION 7.18.(f)** Funding; NCCCS. – Of the funds appropriated to the Community
39 Colleges System Office for the 2025-2026 fiscal year, the sum of one million dollars
40 (\$1,000,000) in nonrecurring funds shall be used to establish time-limited positions at Wake
41 Tech. Two positions shall be assigned to work in each participating high school to assist in the
42 implementation of the courses offered by the Project. Funds appropriated for the purposes laid
43 out in this section shall not revert but shall remain available to accomplish the purposes of this
44 section until the end of the 2028-2029 fiscal year.

45 **COMPETENCY-BASED EDUCATION AND HIGH SCHOOL REDESIGN** 46 **STRATEGIC NETWORK**

47 **SECTION 7.19.** Mooresville Graded School District, Mitchell Community College,
48 Wake Technical Community College, Wake County Public School System, Fayetteville
49 Technical Community College, Wilkes Community College, and SparkNC shall collaborate to
50 create a Competency-Based Education and High School Redesign Strategic Network (Network).
51

1 The president of SparkNC, or the president's designee, shall serve as the chair of the Network.
2 The chair shall coordinate the operations of the Network and provide administrative and technical
3 support for the Network to the extent such support is necessary. The Network shall provide a
4 means for each entity to share what it has learned and developed regarding CBE and high school
5 redesign. The goals of the Network shall be to advance the goals of developing a CBE approach
6 to education across the State.

7
8 **NORTH CAROLINA COMPETENCY-BASED EDUCATION INNOVATION GRANT**
9 **PROGRAM**

10 **SECTION 7.20.(a)** Program Established; Purpose. – There is established the North
11 Carolina Competency-Based Education Innovation Grant and Network Program (Program). The
12 purpose of the program is to provide funding and support to schools and districts to support the
13 transition to competency-based education (CBE) models that focus on mastery of learning rather
14 than instructional time. The grant aims to promote innovative instructional practices, flexible
15 assessment models, and systemic shifts to ensure all students progress based on demonstrated
16 proficiency.

17 **SECTION 7.20.(b)** Program Objectives. – The objectives of the Program are as
18 follows:

- 19 (1) Redesign learning pathways. – Support schools and districts in developing
20 personalized, CBE models that allow students to progress at their own pace.
- 21 (2) Assessment innovation. – Utilize formative and performance-based
22 assessments that measure student mastery of skills and knowledge, including
23 the use of AI learning tools.
- 24 (3) Educator capacity building. – Provide common professional development for
25 educators on instructional strategies and assessment practices aligned with
26 transitioning to CBE.
- 27 (4) Develop strategies for statewide scaling and best practices. – Develop and
28 share resources, implementation strategies, and lessons learned to expand
29 CBE across North Carolina.

30 **SECTION 7.20.(c)** Phase One. – The first phase of the Program shall begin with the
31 2025-2026 school year and continue until the conclusion of the 2028-2029 school year. Public
32 school units shall submit applications and complete any planning or organizational duties during
33 the 2025-2026 school year with implementation of CBE in participating schools beginning with
34 the 2026-2027 school year.

35 **SECTION 7.20.(d)** Application. – The Department of Public Instruction shall create
36 an application for the Program and make the application available to all public school units no
37 later than 60 days after this act becomes law. Public school units shall submit their applications
38 to the Department no later than 60 days after the application becomes available. The Department
39 shall select 10 schools to participate in the Program no later than 60 days after the close of the
40 application period. When selecting schools to participate in the Program, the Department shall
41 prioritize schools that show a strong commitment to implementing CBE and innovation in
42 assessment. The Department shall develop criteria to determine which schools are most ready to
43 transition to CBE. The application shall include at least the following:

- 44 (1) A comprehensive plan outlining the school's vision for competency-based
45 education.
- 46 (2) A description of instructional and assessment shifts to be implemented.
- 47 (3) A budget for use of grant funds and a sustainability plan to continue utilizing
48 CBE after the conclusion of Phase One.
- 49 (4) Commitments from public school units leadership and stakeholders.

50 **SECTION 7.20.(e)** Grant Funds; Use; Training. – Grant awards shall be in the
51 amount of three hundred thirty thousand dollars (\$330,000) to each participating school.

1 Participating schools shall use the sum of ninety-five thousand dollars (\$95,000) each school
2 year to receive training on the implementation of CBE in the school. The remaining grant funds
3 shall be used for costs associated with the transition to CBE, including travel costs and CBE
4 resources. Grant funds shall remain available until the end of the 2028-2029 fiscal year.

5 **SECTION 7.20.(f)** Selection of Third-Party Vendor. – The Department shall select
6 a third-party vendor (Vendor) that is an educational support provider with a nationally
7 recognized, research-based instructional and leadership framework, including a High Reliability
8 School model, a taxonomy of educational objectives aligned to classroom strategies, and a system
9 for implementing personalized competency-based education. The provider must have published
10 extensively in peer-reviewed and practitioner literature, have an established track record of
11 working directly with K-12 schools and districts across multiple states, and offer professional
12 development services, implementation support, and instructional resources developed and led by
13 a founding education researcher with over four decades of influence in curriculum, instruction,
14 and assessment.

15 **SECTION 7.20.(g)** Department Partnership with Vendor. – The Department shall
16 partner with the Vendor selected pursuant to subsection (f) of this section to develop publicly
17 available, standards-aligned proficiency scales for all content areas and grade levels to ensure
18 educators in the participating schools have the tools necessary to successfully transition to CBE
19 approaches. The Vendor shall provide annual professional development events throughout the
20 regions of the State to ensure educators can engage in learning about CBE approaches, including
21 implementation of the proficiency scales developed by the Department.

22 **SECTION 7.20.(h)** Department Duties. – The Department of Public Instruction shall
23 do the following as part of the Program:

- 24 (1) Develop, in collaboration with the Vendor, a CBE Network to support the
25 long-term transition to CBE. The CBE Network shall do the following:
- 26 a. Provide strategic guidance and policy recommendations for scaling
27 CBE statewide.
 - 28 b. Facilitate collaboration among grant recipients, educators,
29 policymakers, and CBE industrial leaders.
 - 30 c. Develop a long-term roadmap for CBE implementation statewide.
 - 31 d. Offer professional learning communities and shared online resources
32 to support ongoing innovation and capacity building.
 - 33 e. Develop methods of measuring proficiency for all courses offered as
34 part of the standard course of study in kindergarten through grade 12,
35 with support from the Vendor.
 - 36 f. Disseminate developed proficiency measures to all public school units
37 and post standards developed to align with the proficiency measures
38 online on a publicly accessible website.
 - 39 g. Conduct research and evaluation to inform best practices and
40 continuous improvement in participating schools.
- 41 (2) Provide support and technical assistance, professional learning opportunities,
42 and access to the CBE network for all grant recipients.

43 **SECTION 7.20.(i)** Reporting; Participants. – Each participating school shall submit
44 a quarterly progress report to the Department detailing implementation of CBE in the school. The
45 Department shall establish the due dates and mechanism for the submission of the progress
46 reports. Progress shall include available student learning outcome data, including evidence of
47 progress toward content mastery.

48 **SECTION 7.20.(j)** Reporting; Department. – The Department of Public Instruction
49 shall submit a final report on the outcomes of Phase One of the Program to the Joint Legislative
50 Education Oversight Committee by December 1, 2029. The report shall include the following:

- 51 (1) A summary of student outcomes reported by participating schools.

- 1 (2) Any challenges experienced by participating schools or the Department with
- 2 implementation of the Program.
- 3 (3) Recommendations for scaling the Program statewide.
- 4 (4) Any other information the Department deems relevant.
- 5 (5) Any information requested by the Committee.
- 6

7 AI ACADEMIC SUPPORT PROGRAM

8 SECTION 7.21. Chapter 115C of the General Statutes is amended by adding a new
9 Article to read:

10 "Article 42.

11 "Academic Support Programs.

12 **"§ 115C-650. Establish AI Academic Support Program.**

13 (a) Purpose; Program. – There is established the AI Academic Support Program
14 (Program) to allow public school units to contract with Khan Academy, Inc., (Khan Academy)
15 for use of the academic support service Khanmigo, in grades six through 12. Khanmigo is an
16 application that uses artificial intelligence to support teachers with lesson plan development and
17 to support students with lesson comprehension.

18 (b) Funding. – Funds shall be allocated to each public school unit on the basis of average
19 daily membership (ADM) in grades six through 12 in the public school unit for the purposes set
20 out in this section.

21 (c) Funding Use. – Public school units that utilize funds pursuant to this section shall use
22 all funds to contract with Khan Academy for use of the Khanmigo service, any associated
23 professional development, and the rostering programs required pursuant to subsection (e) of this
24 section.

25 (d) Contract Term. – Public school units entering into contracts with Khan Academy shall
26 contract for a term of one year. At the end of each school year, each public school unit shall
27 evaluate the use of Khanmigo services in the public school unit prior to contracting with Khan
28 Academy for the subsequent school year. The evaluation shall include all of the information
29 required to be reported on by the Department of Public Instruction in subdivisions (2) through
30 (7) of subsection (h) of this section. Public school units shall submit their evaluations to the
31 Department of Public Instruction by July 15 of each year that funds are used pursuant to this
32 section.

33 (e) Class Rostering for Khanmigo. – All public school units that contract with Khan
34 Academy pursuant to this section shall use a secure, cloud-based, single sign-on, and class
35 rostering platform to manage access to digital instructional resources and student information
36 systems and to facilitate automated data integration between educational applications and school
37 district systems. Class rostering products used pursuant to this section must be approved by the
38 Department.

39 (f) Juvenile Justice. – The Department shall contract with Khan for 500 Khanmigo
40 licenses and training for use in schools operated by the Division of Juvenile Justice of the
41 Department of Public Safety. The Department of Public Instruction shall provide technical
42 support to the Division of Juvenile Justice for the use of Khanmigo. The Division of Juvenile
43 Justice shall comply with evaluation requirements pursuant to subsection (d) of this section.

44 (g) Study. – The Office of Learning Research at the North Carolina Collaboratory (OLR)
45 shall design and conduct a study to measure the effectiveness of using Khanmigo, including any
46 impact on student performance and growth. As part of the study, the Department of Public
47 Instruction shall aggregate and report to OLR on the evaluations submitted by public school units
48 and the Division of Juvenile Justice pursuant to subsections (d) and (f) of this section. OLR shall
49 collaborate with Khan Academy to aggregate data on student performance by teacher and by
50 subgroup, to the extent allowed by law. OLR shall provide the results of this study to the Joint
51 Legislative Education Oversight Committee no later than April 1, 2028.

1 (h) Report. – No later than February 15 of each year in which funds are made available
2 for the Program, the Department of Public Instruction shall report to the Joint Legislative
3 Education Oversight Committee at least the following information:

- 4 (1) The number public school units that contracted with Khan Academy pursuant
5 to this article.
6 (2) The number of students using the Khanmigo application.
7 (3) The average number of minutes and interactions students had with the
8 Khanmigo application weekly.
9 (4) The number of teachers using the application.
10 (5) The average number of minutes and interactions teachers had with the
11 Khanmigo application weekly.
12 (6) Any identified impact on student outcomes.
13 (7) Any identified impact on teacher performance.
14 (8) The number of moderation flags generated by the application."
15

16 **AUTHORIZE NEW COOPERATIVE INNOVATIVE HIGH SCHOOLS AND CODIFY**
17 **SUPPLEMENTAL FUNDING**

18 **SECTION 7.22.(a)** With the funds appropriated to the Department of Public
19 Instruction by this act for cooperative innovative high schools, the Department shall allocate to
20 local school administrative units the sum of six hundred thirty-five thousand dollars (\$635,000)
21 in recurring funds for the 2025-2026 fiscal year in amounts consistent with those set forth in
22 G.S. 115C-238.54A, as enacted by this section, as supplemental funding for the following
23 cooperative innovative high schools for the 2025-2026 school year:

- 24 (1) Hawthorne Academy of Health Sciences.
25 (2) Martin Innovative Early College of Health Sciences.
26 (3) Moore County Cooperative Innovative High School.

27 **SECTION 7.22.(b)** Beginning with the 2025-2026 school year and for subsequent
28 school years thereafter, notwithstanding G.S. 115C-238.51A(c), G.S. 115C-238.54, and any
29 other provision of law to the contrary, Hawthorne Academy of Health Sciences, Martin
30 Innovative Early College of Health Sciences, and Moore County Cooperative Innovative High
31 School shall be permitted to operate in accordance with G.S. 115C-238.53 and G.S. 115C-238.54
32 as cooperative innovative high schools approved under G.S. 115C-238.51A(c) and shall be
33 subject to the evaluation requirements of G.S. 115C-238.55.

34 **SECTION 7.22.(c)** Part 9 of Article 16 of Chapter 115C of the General Statutes is
35 amended by adding a new section to read:

36 **"§ 115C-238.54A. Cooperative innovative high schools – supplemental allotment funding**
37 **based on county development tier designation.**

38 (a) Allocation of Funding. – The Department shall allocate cooperative innovative high
39 school supplemental allotment funds to local school administrative units with a cooperative
40 innovative high school approved pursuant to G.S. 115C-238.51A(c) based on developmental tier
41 area, as defined in G.S. 143B-437.08, as follows:

- 42 (1) Local school administrative units located in a development tier one area shall
43 be allocated funding as follows:
44 a. The sum of two hundred seventy-five thousand dollars (\$275,000) in
45 recurring funds for each cooperative innovative high school in the unit.
46 b. For the Northeast Regional School of Biotechnology and Agriscience,
47 the Department shall allocate the sum of three hundred ten thousand
48 dollars (\$310,000) in recurring funds from the regional school
49 supplemental allotment for the school for each fiscal year.

(2) Local school administrative units located in a development tier two area shall be allocated the sum of two hundred thousand dollars (\$200,000) in recurring funds for each cooperative innovative high school in the unit.

(3) Local school administrative units located in a development tier three area shall be allocated the sum of one hundred eighty thousand dollars (\$180,000) in recurring funds for each cooperative innovative high school in the unit.

(b) Applicability of Funds. – The allotment of funds to local school administrative units pursuant to subsection (a) of this section shall include cooperative innovative high schools approved pursuant to G.S. 115C-238.51A(c) operated by a local school administrative unit regardless of not receiving allotments in a prior fiscal year. Funds shall not be allocated to local school administrative units for cooperative innovative high schools approved by the State Board pursuant to G.S. 115C-238.51A(b)."

REPEAL CODING AND MOBILE APP DEVELOPMENT GRANT PROGRAM

SECTION 7.23. Section 7.23 of S.L. 2017-57 is repealed.

MAINTAIN COVERAGE OF COPAYS FOR REDUCED-PRICE SCHOOL MEALS

SECTION 7.24.(a) G.S. 115C-264 is amended by adding a new subsection to read:

"(a1) A local board of education that is operating a school nutrition program shall provide school lunches, and if provided, breakfasts, to students at no cost to the student for students in all grade levels that qualify for reduced-price meals under the federal National School Lunch Program or School Breakfast Program. If funds from alternate sources are insufficient to provide school meals at no costs to students for students that qualify for reduced-price meals, the Department of Public Instruction may use funds appropriated to the State Aid for Public Schools Fund for this purpose."

SECTION 7.24.(b) Section 7.58 of S.L. 2023-134 is repealed.

CHARTER SCHOOLS REVIEW BOARD AMENDMENTS

SECTION 7.25.(a) G.S. 115C-218 reads as rewritten:

"§ 115C-218. Purpose of charter schools; role of State Board of Education; establishment of North Carolina Charter Schools Review Board and North Carolina Office of Charter Schools.

...

(a1) State Board of Education. – The State Board of Education shall have the following duties regarding charter schools:

(1) ~~Rulemaking. – To establish~~ adopt all rules for the operation and approval of charter schools. Any rule or policy adopted by the State Board regarding charter schools shall first be ~~recommended~~ approved by the Charter Schools Review Board.

(2) Funding. – To allocate funds to charter schools.

(3) Appeals. – To hear appeals from decisions of the Charter Schools Review Board under G.S. 115C-218.9.

(4) Accountability. – To ensure accountability from charter schools for school finances and student performance.

(5) Review of financial assistance. – The State Board shall assign the Review Board to conduct any hearings pursuant to 20 U.S.C. § 1231b-2, including making findings and recommendations regarding those hearings.

(b) North Carolina Charter Schools Review Board. –

...

(10) Powers and duties. – The Review Board shall have the following duties:

- 1 a. ~~To make recommendations to the State Board of Education on the~~
2 ~~adoption of propose, recommend, and approve rules and policies~~
3 regarding all aspects of charter school operation, including time lines,
4 processes, standards, and criteria for acceptance and approval of
5 applications, monitoring of charter schools, and grounds for
6 revocation of charters.
- 7 ...
- 8 e. To conduct hearings and make findings and recommendations
9 pursuant to subdivision (a1)(5) of this section.
- 10 f. To contract for and employ legal counsel, including private counsel,
11 to advise, represent, and provide litigation services to the Review
12 Board, without need to obtain permission or approval pursuant to
13 G.S. 114-2.3 or G.S. 147-17.

- 14 ...
- 15 (c) North Carolina Office of Charter Schools. –
- 16 ...
- 17 (2) Executive Director. – The Executive Director shall report to and serve at the
18 pleasure of the ~~Superintendent of Public Instruction~~ Review Board at a salary
19 established by the ~~Superintendent~~ Review Board within the funds
20 appropriated for this purpose. The duties of the Executive Director shall
21 include presenting the recommendations and decisions of the Review Board
22 at meetings of the State Board.

23"

24 **SECTION 7.25.(b)** G.S. 115C-218.15(c) reads as rewritten:
25 "(c) A charter school shall operate under the written charter signed by the State
26 Superintendent and the applicant. The terms of the written charter shall be approved by the
27 Review Board. A charter school is not required to enter into any other contract. The charter shall
28 incorporate the information provided in the application, as modified during the charter approval
29 process, and any terms and conditions imposed on the charter school by the Review Board, or if
30 the approval is granted through an appeal pursuant to G.S. 115C-218.9, any conditions imposed
31 by the State Board of Education. No other terms may be imposed on the charter school as a
32 condition for receipt of local funds."

33 **SECTION 7.25.(c)** G.S. 115C-218.85 is amended by adding a new subsection to
34 read:

35 "(d) Notwithstanding G.S. 116-11(10a) or any other provision of law to the contrary, a
36 charter school shall not be required to list class rank on a student's official transcript or record."

37 **SECTION 7.25.(d)** G.S. 115C-218.90(a) is amended by adding a new subdivision
38 to read:

39 "(7) A charter school may develop and use any evaluation for conducting
40 evaluation of teachers provided that it includes standards and criteria similar
41 to those used in the North Carolina Professional Teaching Standards and
42 North Carolina Teacher Evaluation Process, or such other evaluation standard
43 and process required to be used by local school administrative units."

44 **SECTION 7.25.(e)** G.S. 115C-218.94 is amended by adding a new subsection to
45 read:

46 "(c) The Review Board shall require charter schools that are identified as low-performing
47 or continually low-performing to prepare and report on plans to improve the performance of the
48 school. The requirements of G.S. 115C-105.27 shall not apply to charter schools."

49 **SECTION 7.25.(f)** G.S. 115C-218.105 reads as rewritten:
50 "§ 115C-218.105. State and local funds for a charter school.
51 ...

1 (a2) The State Board shall withhold or reduce distribution of funds to a charter school if
2 any of the following applies:

- 3 (1) The change in funding is due to an annual adjustment based on enrollment or
4 is a general adjustment to allocations that is not specific to the charter or
5 actions of that charter school.
6 (2) The Review Board notifies the State Board that the charter school has
7 materially violated a term of its charter, has violated a State statute or federal
8 law, or has had its charter terminated or nonrenewed.
9 (3) The ~~Superintendent of Public Instruction~~ Review Board notifies the State
10 Board that the charter school has failed to meet generally accepted standards
11 of fiscal management or has violated a State or federal requirement for receipt
12 of funds.

13 ...

14 (c2) The ~~Superintendent of Public Instruction~~ Review Board shall, in consultation with
15 charter schools and local school administrative units, create a standardized enrollment
16 verification and transfer request document that each charter school shall use to request the per
17 pupil share of the local current expense fund from the local school administrative units. Charter
18 schools shall only be required to list the name, age, grade, address, date of charter enrollment,
19 date of charter withdrawal, district of residence, and student identification number of each student
20 as provided to the charter school by the student's parent or guardian in the enrollment verification
21 and transfer request document that the charter school submits to the local school administrative
22 units. A charter school, in its discretion, may take further steps to confirm the student's residence
23 in a particular local school administrative unit.

24 (c3) The ~~Superintendent of Public Instruction~~ Review Board shall, in consultation with
25 charter schools and local school administrative units, create a standardized procedure that local
26 school administrative units shall use when transferring the per pupil share of the local current
27 expense fund to charter schools. The standardized procedure for transfer of the per pupil share of
28 the local current expense fund shall require, to the extent practicable, that the local school
29 administrative units make the transfers by electronic transfer.

30"

31 **SECTION 7.25.(g)** G.S. 115C-218.123 is amended by adding a new subsection to
32 read:

33 "(c) If a school is operating under a charter that allows for a remote academy as part of the
34 charter, and the school enrolls or intends to enroll 250 or more students in the remote academy,
35 the school may request that the Review Board grant the remote academy portion of the school a
36 separate charter by submitting the information listed under subsection (a) of this section with the
37 request. Requests submitted pursuant to this section shall be reviewed through an expedited
38 process to be established by the Review Board. The Review Board shall not require a planning
39 year for remote academies granted a charter pursuant to this subsection."

40 **SECTION 7.25.(h)** G.S. 115C-218.125 reads as rewritten:

41 "**§ 115C-218.125. Evaluation.**

42 (a) The State Board of Education shall evaluate the success of remote charter academies
43 approved under this Part. Success shall be measured by school performance scores and grades,
44 retention rates, attendance rates, and, for grades nine through 12, high school completion and
45 dropout rates. The Board shall report by November 15 of each year to the Joint Legislative
46 Education Oversight Committee on the evaluation of these academies and on any recommended
47 statutory changes.

48 (b) If a school is operating under a charter that includes in-person instruction and a remote
49 charter academy, the remote charter academy shall receive a separate school performance grade
50 and be treated as a separate school for the purposes of assessing the performance of the remote
51 charter academy pursuant to G.S. 115C-12(9)c1., 115C-83.15, 115C-218.94, and 115C-218.95."

1 **SECTION 7.25.(i)** This section is effective when it becomes law and applies
2 beginning with the 2025-2026 school year.

3 4 **SCHOOL BUSINESS SYSTEMS MODERNIZATION PLANS**

5 **SECTION 7.26.(a)** For a public school unit to receive an allocation from the
6 nonrecurring funds appropriated to the Department of Public Instruction in this act for the
7 2025-2026 fiscal year for business systems modernization, the Department shall require the
8 public school unit to submit a letter of intent to the Department no later than September 1, 2026.
9 The letter of intent must (i) verify that the public school unit has not previously received funds
10 for business systems modernization, (ii) specify the platform the public school unit intends to
11 use, and (iii) state the projected implementation time line. Any platform chosen must integrate
12 with the Department's Licensure and Uniform Education Reporting System and analytics system.

13 **SECTION 7.26.(b)** Notwithstanding G.S. 143C-1-2(b), any funds that have been
14 appropriated to the Department of Public Instruction for the purpose of business systems
15 modernization that have not been obligated by June 30, 2031, shall revert to the General Fund.

16 17 **SHIFT FUNDS FROM GOGUARDIAN TO GAGGLE**

18 **SECTION 7.27.** Of the four million four hundred thousand dollars (\$4,400,000) in
19 recurring funds appropriated to the Department of Public Instruction for the 2023-2024 fiscal
20 year in S.L. 2023-134 to provide technology and services to mitigate cyberbullying, monitor
21 student internet activity, and assist with suicide prevention services, the Department shall,
22 beginning with the 2025-2026 fiscal year, use the full amount to contract with Gaggle.Net, Inc.,
23 to provide technology and services to mitigate cyberbullying, monitor student internet activity,
24 and assist with suicide prevention services.

25 26 **FORMALIZE THE DIAPER BANK OF NORTH CAROLINA'S ROLE AS PROVIDER** 27 **OF FEMININE HYGIENE PRODUCTS FOR PUBLIC SCHOOLS**

28 **SECTION 7.28.** G.S. 115C-377 reads as rewritten:

29 **"§ 115C-377. Feminine Hygiene Products Grant Program.**

30 (a) Program; Purpose. – The Department of Public Instruction shall establish the
31 Feminine Hygiene Products Grant Program (Program) to assist public school units participating
32 in the Program in providing provide students with feminine hygiene products at no charge to the
33 student. The Department shall run the Program in accordance with this section in each year in
34 which funds are made available for the purpose.

35 (b) Grants. – ~~To the extent funds are made available for the Program, the Department of~~
36 ~~Public Instruction shall award public school units grants of up to five thousand dollars (\$5,000)~~
37 ~~on a first come, first served basis, and the Department shall prioritize awarding grants to public~~
38 ~~school units that did not receive an award pursuant to the Program in the previous fiscal year. No~~
39 ~~public school unit shall receive more than one grant per fiscal year.~~

40 **(b1) Participation.** – The Department of Public Instruction shall develop a process through
41 which public school units can elect to participate in the Program for each school year.

42 **(b2) Contract for Products.** – The Department of Public Instruction shall contract with the
43 Diaper Bank of North Carolina to provide feminine hygiene products to all public school units
44 that elect to participate in the Program on a pro rata basis based on the number of female students
45 in grades six through 12 in the participating public school unit.

46 (c) Reporting. – ~~No later than March 15, 2023, and every year thereafter that funds are~~
47 ~~made available for 15 of each year of the Program, the Department shall report to the Joint~~
48 ~~Legislative Education Oversight Committee on the public school units receiving grants-products~~
49 ~~under the Program, the specific number of feminine hygiene products purchased with the grant~~
50 ~~funds, provided through the Program, the number of students served by the Program, and the~~
51 ~~impact of the Program on student health and well-being."~~

1
2 **ADVANCED TEACHING ROLES – LIMITED CLASS SIZE EXCEPTION, GRANT**
3 **FUNDING FORMULA, AND TRACK ROLES IN STUDENT INFORMATION**
4 **SYSTEM**

5 **SECTION 7.29.(a)** Notwithstanding G.S. 115C-301 or G.S. 115C-310.7, the State
6 Board of Education may grant a public school unit participating in the Advanced Teaching Roles
7 program under Article 20A of Chapter 115C of the General Statutes, that received its final year
8 of grant funding under G.S. 115C-310.11 in the 2024-2025 school year, authorization to exceed
9 the maximum class size requirements for kindergarten through third grade for the 2025-2026
10 school year.

11 **SECTION 7.29.(b)** G.S. 115C-310.11 is amended by adding a new subsection to
12 read:

13 "(a1) Award. – For an ATR unit's initial planning year, the Department shall award the unit
14 the sum of one hundred fifty thousand dollars (\$150,000) for the year. In each subsequent year
15 the ATR unit receives grant funds, the Department shall award the unit ten thousand dollars
16 (\$10,000) for each new advanced leadership teacher role identified in the unit's ATR plan."

17 **SECTION 7.29.(c)** G.S. 115C-310.15 is amended by adding a new subsection to
18 read:

19 "(d) The Department of Public Instruction shall create designations for teachers serving in
20 advanced teaching roles in the student information system."

21
22 **ALLOW CHARTER SCHOOLS TO RELOCATE WITHIN 10 MILES**

23 **SECTION 7.30.** G.S. 115C-218.8 reads as rewritten:

24 **§ 115C-218.8. Nonmaterial revisions of charters.**

25 It shall not be considered a material revision of a charter and shall not require prior approval
26 of the Review Board for a charter school to do any of the following:

27 ...

- 28 (4) Relocate the charter school within a 10-mile radius inside the same local
29 school administrative unit identified in the charter."

30
31 **NO ALTERNATE SCHOOL MEALS BASED ON STUDENT PAY STATUS**

32 **SECTION 7.31.(a)** G.S. 115C-264 is amended by adding a new subsection to read:

33 "(e) Governing bodies of public school units shall offer the same meal selections to all
34 students regardless of student pay status for the nutrition program. For purposes of this section,
35 pay status includes students receiving free or reduced-price lunch or students that have unpaid
36 meal debt. This policy does not require a governing body to provide a student any optional meal
37 items that result in additional charges to the student."

38 **SECTION 7.31.(b)** G.S. 115C-218.75(n) reads as rewritten:

39 "(n) Unpaid Meal Debt. School Nutrition Program. – If a charter school participates in the
40 offers a school nutrition program, the charter school shall comply with the following in offering
41 the program:

- 42 (1) A charter school may not impose administrative penalties on a student for
43 unpaid school meal debt in accordance with G.S. 115C-264(d).
44 (2) A charter school shall not provide alternate meals based on student pay status
45 in accordance with G.S. 115C-264(e)."

46 **SECTION 7.31.(c)** G.S. 115C-218.75(l) is recodified as subdivision (3) of
47 G.S. 115C-218.75(n), as amended by subsection (b) of this section.

48 **SECTION 7.31.(d)** G.S. 115C-238.66(22) reads as rewritten:

49 "(22) Unpaid meal debt. School nutrition program. – If a regional school participates
50 in the offers a school nutrition program, the regional school shall comply with
51 the following in offering the program:

1 a. A regional school may not impose administrative penalties on a
 2 student for unpaid school meal debt in accordance with
 3 G.S. 115C-264(d).

4 b. A regional school shall not provide alternate meals based on student
 5 pay status in accordance with G.S. 115C-264(e)."

6 **SECTION 7.31.(e)** G.S. 115C-238.66(20) is recodified as sub-subdivision c. of
 7 G.S. 115C-238.66(22), as amended by subsection (d) of this section.

8 **SECTION 7.31.(f)** This section applies beginning with the 2025-2026 school year.
 9

10 **CEP TIME LINE SHIFT AND CLARIFY BREAKFAST LOCATION**

11 **SECTION 7.32.** Section 7.59 of S.L. 2023-134 reads as rewritten:

12 **"SECTION 7.59.(a)** Program; Purpose. – The Department of Public Instruction shall
 13 establish the CEP Meal Program Incentive ~~for the 2023-2025 fiscal biennium~~ to expand public
 14 school participation in the federal Community Eligibility Provision (CEP) program to increase
 15 the number of students with access to healthy, cost-free school breakfast and lunch. The incentive
 16 program shall be available to public school units for the 2024-2025 fiscal year. In each year
 17 where funds are made available for the purpose, the CEP program shall be run subject to the
 18 provisions of this section.

19 ...

20 **"SECTION 7.59.(c)** Application. – ~~By January 15, 2024, April 15 of each year of the~~
 21 program, the Department shall develop the application for the incentive program and make it
 22 available to public school units. Public school units or individual schools shall submit their
 23 applications by ~~March 1, 2024, June 1 of each year of the program.~~ At a minimum, the application
 24 shall include the following information:

- 25 (1) The school or schools that will participate in the CEP program.
- 26 (2) The Identified Student Percentage (ISP) for the school or schools for the ~~2024-~~
 27 ~~2025-current~~ school year.
- 28 (3) The number of students enrolled in the school or schools for the ~~2024-2025~~
 29 current school year.
- 30 (4) Participation rates in the National School Breakfast and Lunch programs for
 31 the 2023-2024 school year for the schools requesting to receive the incentive.

32 **"SECTION 7.59.(d)** Selection. – ~~By April 30, 2024, July 15 of each year of the program,~~
 33 the Department shall determine whether each applicant is eligible to participate in the incentive
 34 program. The Department shall then award grants to all eligible public school units and schools.
 35 If there are insufficient funds to award grants to all eligible public school units or schools, the
 36 Department shall first prioritize awarding grants to public school units and schools with an
 37 Identified Student Percentage (ISP) of greater than or equal to fifty-five percent (55%) and then
 38 prioritize awarding grants to those schools that will draw the greatest federal match.

39 **"SECTION 7.59.(e)** Grants. – The Department shall issue State reimbursements to
 40 participating public school units and schools to supplement federal reimbursements of school
 41 meals. State reimbursement shall equal the difference between the federal free rate and the federal
 42 paid rate for the number of meals served at the participating schools equal to a 0.2 multiplier of
 43 the ISP for the participating schools. State and federal reimbursements shall not exceed one
 44 hundred percent (100%) of the federal free rate of meals served. Schools utilizing the incentive
 45 shall ~~offer breakfast after the bell and in the classroom~~ have an innovative breakfast option
 46 available where students have access to breakfast and are allowed to consume breakfast in the
 47 classroom.

48 ...

49 **"SECTION 7.59.(g)** Report. – ~~No later than January 1, 2025, 1 of each year of the program,~~
 50 the Department shall report to the Joint Legislative Education Oversight Committee and the
 51 Fiscal Research Division at least the following information:

1 "

2
3 **SPARKNC EXTENSION**

4 **SECTION 7.33.** Section 7.62 of S.L. 2023-134, as amended by Section 3J.14 of S.L.
5 2024-57, reads as rewritten:

6 **"SECTION 7.62.(a)** There is established the SparkNC ~~Pilot~~-Program (Program) ~~for~~
7 beginning with the 2023-2025 fiscal biennium, biennium continuing through the 2031-2033
8 fiscal biennium. The ~~pilot program~~-Program authorizes SparkNC, a North Carolina nonprofit
9 corporation, in partnership with ~~selected~~-public school units, to develop a nontraditional,
10 student-driven pathway through which students may select and complete modular learning
11 experiences that, when aggregated, will provide a competency-based equivalency to a traditional
12 elective course credit. SparkNC shall provide a menu of modular learning experiences that
13 include opportunities for work-based learning. For purposes of this section, "Learning
14 Accelerator" is either a High-Tech or Health Science Learning Accelerator. The
15 competency-based elective credit shall be denoted on student transcripts as a Learning
16 Accelerator credit and be focused on science, technology, engineering, and mathematics
17 (STEM). A student may earn up to four credits in Learning Accelerators but may not complete
18 the same learning experience more than once for credit.

19 **"SECTION 7.62.(b)** Each public school unit partnering with SparkNC in accordance with
20 this section (partnering public school units) shall enter a memorandum of understanding with
21 SparkNC to meet certain requirements for the Program. These requirements shall include the
22 provision of a physical learning lab staffed by a learning lab facilitator, operated on a schedule
23 agreed upon by the public school unit and SparkNC, that will provide a site for collaborative
24 learning and networking. Learning lab facilitators shall facilitate interdistrict instruction, provide
25 student advising, design learning experiences, coordinate with industry partners, and validate
26 student work.

27 **"SECTION 7.62.(c)** Notwithstanding any State Board of Education rules, partnering public
28 school units shall award the elective credit in a Learning Accelerator to any student who
29 completes a combination of learning experiences determined by SparkNC to provide the
30 competency-based elective credit in that course upon verification of successful completion of the
31 learning experiences and integrity of student work products by the learning lab facilitator. The
32 elective credit shall be denoted as achieved competency on the student's transcript. A student's
33 participation in learning experiences but failure to earn elective credit shall not be denoted as a
34 fail on the student's transcript.

35 **"SECTION 7.62.(d)** The following provisions shall apply to the Program:

- 36 (1) Notwithstanding G.S. 115C-295 and any related State Board of Education
37 rules, learning lab facilitators shall not be required to hold teacher licensure
38 but shall meet the standards established by the memorandum of
39 understanding. Learning lab facilitators shall be the teacher of record for
40 students enrolled in the Program. Additional non-licensed personnel may be
41 contracted with on a full- or part-time basis for the purpose of providing
42 timely, real-world content, industry expertise, and student learning
43 experiences. Learning lab facilitators and contract personnel with the Program
44 shall be subject to the requirements of Part 6 of Article 22 of Chapter 115C of
45 the General Statutes (Criminal History Checks).
- 46 (2) For the purposes of student participation in the Program, the requirements of
47 Part 2 of Article 8 of Chapter 115C of the General Statutes (Calendar) shall
48 not apply. Students may continue to participate in the Program and aggregate
49 learning experiences throughout the time the students are enrolled in the
50 public school unit and shall not be limited to a semester or school year.

1 Learning experiences may be provided to students in person, remotely, or
2 through asynchronous learning experiences.

3 (3) Notwithstanding G.S. 115C-316 or any other law or rule to the contrary,
4 public school units shall not be required to pay learning lab facilitators in
5 accordance to the salary schedule used for other teachers employed by the
6 public school unit.

7 (4) If a course in computer science is required for high school graduation,
8 completion of the competency-based elective credit of a High-Tech Learning
9 Accelerator shall be deemed to satisfy the requirement.

10 ~~"SECTION 7.62.(e) For the 2023-2024 and 2024-2025 school years, all~~ All public school
11 units are eligible to participate in the Program.

12 **"SECTION 7.62.(f)** The nonrecurring funds appropriated to the Department of Public
13 Instruction in the 2023-2024 and 2024-2025 fiscal years for the purposes of this section shall be
14 allocated as a directed grant to SparkNC to provide students a nontraditional pathway to earn
15 competency-based Learning Accelerator elective credits. Funds allocated pursuant to this section
16 shall not revert to the General Fund but shall remain available until the end of the ~~2025-2026~~
17 2026-2027 fiscal year. SparkNC shall utilize the grant to partner with and provide services in the
18 maximum number of public school units possible.

19 **"SECTION 7.62.(g)** SparkNC, in consultation with the partnering public school units, shall
20 provide ~~an interim~~ a report to the Joint Legislative Education Oversight Committee by March ~~4,~~
21 2025, 1 of each year of the Program on the following information, disaggregated for each public
22 school unit by grade level and school, when possible:

- 23 (1) Number and percentage of student participation in the Program.
- 24 (2) Student retention and persistence in the Program.
- 25 (3) Student completion of Learning Accelerator elective credits and student
26 achievement of personalized learning goals within the Program.
- 27 (4) Student evaluation of the Program.
- 28 (5) Student interest in science, technology, engineering, and mathematics
29 following participation in the Program.
- 30 (6) Cost per student for Program participation.
- 31 (7) The number and percentage of students who have participated in the Program
32 who choose to pursue a career pathway or further study in a STEM field.
- 33 (8) Public school unit persistence in the Program.
- 34 (9) Recommendations for Program changes, including recommended legislative
35 changes and changes needed to ensure that federal funding for career and
36 technical education can be used for the Program.
- 37 (10) An overview of how all funds appropriated for the Program were spent.
- 38 (11) Recommendations on development of a competency transcript.

39 ~~"SECTION 7.62.(h) SparkNC, in consultation with the partnering public school units, shall~~
40 ~~provide a final report to the Joint Legislative Education Oversight Committee by February 15,~~
41 ~~2027, on the following information, disaggregated for each public school unit by grade level and~~
42 ~~school, when possible:~~

- 43 ~~(1) Number and percentage of student participation in the Program.~~
- 44 ~~(2) Student retention and persistence in the Program.~~
- 45 ~~(3) Student completion of the High-Tech Learning Accelerator elective.~~
- 46 ~~(4) Student evaluation of the Program.~~
- 47 ~~(5) Student interest in science, technology, engineering, and mathematics~~
48 ~~following participation in the Program.~~
- 49 ~~(6) Cost per student for Program participation.~~
- 50 ~~(7) The number and percentage of students who have participated in the Program~~
51 ~~who choose to pursue a career pathway or further study in a STEM field.~~

- 1 (8) ~~Public school unit persistence in the Program.~~
- 2 (9) ~~Recommendations for Program changes, including recommended legislative~~
- 3 ~~changes and changes needed to ensure that federal funding for career and~~
- 4 ~~technical education can be used for the Program.~~
- 5 (10) ~~Recommendations on development of a competency transcript.~~

6 "SECTION 7.62.(i) The Department of Public Instruction shall amend the North Carolina
7 CTE State Plan (Plan) prior to the 2026-2027 school year to remove any barriers within the Plan
8 that prevent or inhibit public school units from using CTE funds to support participation in the
9 Program."

10
11 **STUDENT USE OF WIRELESS COMMUNICATION DEVICES**

12 **SECTION 7.34.(a)** Article 7B of Chapter 115C of the General Statutes is amended
13 by adding a new Part to read:

14 "Part 8. Miscellaneous Requirements.

15 **"§ 115C-76.100. Regulation of wireless communication devices.**

16 (a) The following definitions apply in this section:

17 (1) Wireless communication device. – Any portable wireless device that has the
18 capability to provide voice, messaging, or other data communication between
19 two or more parties, including the following:

- 20 a. Cellular telephones.
- 21 b. Tablet computers.
- 22 c. Laptop computers.
- 23 d. Paging devices.
- 24 e. Two-way radios.
- 25 f. Gaming devices.

26 (2) Wireless communication policy. – A policy governing the use of wireless
27 communication devices by students.

28 (b) The governing body of a public school unit shall establish a wireless communication
29 policy. At a minimum, except as permitted in subsection (c) of this section, the policy shall
30 prohibit students from using, displaying, or having a wireless communication device turned on
31 during instructional time.

32 (c) A wireless communication policy shall allow student use of a wireless communication
33 device during instructional time as follows:

- 34 (1) If authorized by a teacher for educational purposes or for use in the event of
35 an emergency. The governing body may establish parameters to be followed
36 by a teacher in granting authorizations.
- 37 (2) As required by the student's individualized education program or section 504
38 (29 U.S.C. § 794) plan.
- 39 (3) As required to manage a student's health care, in accordance with a
40 documented medical condition.

41 (d) The governing body shall establish the consequences for violations of the wireless
42 communication policy, which may include confiscation of the wireless communication device
43 and disciplinary measures under the public school unit's Code of Student Conduct.

44 (e) No later than September 1 of the year in which this section becomes effective, every
45 public school unit shall send to the Department of Public Instruction a copy of the public school
46 unit's wireless communication policy. The public school unit shall provide the Department of
47 Public Instruction with a copy of the wireless communication policy anytime it is changed. No
48 later than October 1 of each year, the Department of Public Instruction shall report to the Joint
49 Legislative Education Oversight Committee the number of public school units that are in
50 compliance with this section and the name of any public school unit which is not in compliance
51 with this section."

1 SECTION 7.34.(b) This section applies beginning with the 2025-2026 school year.

2
3 **PUBLIC SCHOOL ENROLLMENT STABILITY FOR MILITARY STUDENTS**

4 SECTION 7.35. G.S. 115C-366(a9) reads as rewritten:

5 "(a9) A student who is not a domiciliary of a local school administrative unit that resides
6 with a parent or legal guardian that is on active military duty shall be permitted to register to
7 enroll in the public schools of that unit by remote means, including electronic means, prior to
8 commencement of the student's residency in the local school administrative unit ~~if all of the~~
9 ~~following apply~~; subject to the following conditions:

10 (1) To be eligible to register to enroll prior to becoming a domiciliary, all of the
11 following conditions must be met:

12 a. A parent or legal guardian is on active military duty and (i) is
13 transferred or pending transfer pursuant to an official military order to
14 a military installation or reservation in the ~~State~~; State or (ii) is
15 separating from active duty service within the next 12 months and
16 intends to establish residency in the State.

17 ~~(2)~~b. Upon request by the local school administrative unit where the student
18 seeks to register to enroll, a parent or legal guardian provides (i) a copy
19 of the official military order transferring to a military installation or
20 reservation located in the ~~State~~; State or (ii) an official military
21 document showing an anticipated date of separation. Each local school
22 administrative unit may determine the document or documents
23 sufficient to establish an anticipated date of separation so long as the
24 document required is easily accessible by the parent or legal guardian.

25 ~~(3)~~c. A parent or legal guardian completes and submits the local school
26 administrative unit's required enrollment forms and documentation,
27 except ~~that proof of residency and~~ documentation related to
28 disciplinary actions pursuant to G.S. 115C-366(a4) shall not be
29 required until the student transfers into the local school administrative
30 unit, at which time they shall be required prior to commencing
31 attendance.

32 (2) Once registered to be enrolled, the following apply:

33 a. A local school administrative unit shall make available to a student
34 who registers to enroll pursuant to this subsection the same
35 opportunities available to a student enrolled contemporaneously with
36 domicilia, such as requesting or applying for school assignment,
37 registering for courses, and applying for any other programs that
38 require additional request or application.

39 b. A student enrolled pursuant to this subsection may ~~not~~ attend school
40 in the local school administrative unit until ~~proof of residency is~~
41 ~~provided in accordance with the requirements of the local school~~
42 ~~administrative unit.~~ the later of (i) one year from the parent or legal
43 guardian's reporting-for-duty or separation date or (ii) the end of the
44 school year in which the student began attending the school. The
45 parent or legal guardian shall provide proof of residency before the
46 expiration of the allotted period of attendance provided in this
47 sub-subdivision.

48 c. If a student begins attending a school pursuant to this subsection in
49 grade 11 or 12, the local school administrative unit shall extend the
50 period of attendance allowed under sub-subdivision b. of this

1 subdivision to allow the student to attend the school through high
2 school graduation.
3 Nothing in this subsection shall be construed to curtail a local school administrative unit's
4 authority pursuant to G.S. 115C-366(a5)."
5

6 **EXTENDED LEARNING AND INTEGRATED STUDENT SUPPORTS COMPETITIVE** 7 **GRANT PROGRAM**

8 **SECTION 7.36.** Article 16 of Chapter 115C of the General Statutes is amended by
9 adding a new Part to read:

10 "Part 7A. Extended Learning and Integrated Student Supports Grant Program.

11 **§ 115C-238.35. Program; purpose.**

12 (a) Program; Purpose. – There is established the Extended Learning and Integrated
13 Student Supports Grant Program (Program). Nonprofit corporations and nonprofit corporations
14 working in collaboration with local school administrative units operating relevant programs may
15 apply for the Program. The purpose of the Program is to fund high-quality, independently
16 validated extended learning and integrated student support service programs for at-risk students
17 that raise standards for student academic outcomes by focusing on the following:

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

37 (b) Program Requirements. – In each year in which sufficient funds are available, the
38 Department of Public Instruction shall administer the Program in accordance with this Part.

39 (c) Program Funding. – The Department shall use up to seven million dollars
40 (\$7,000,000) from the At-Risk Student Services Alternative School Allotment each fiscal year
41 to fund the Program. Of the funds used to fund the Program, the Department may use up to two
42 hundred thousand dollars (\$200,000) for each fiscal year for expenses of administering the
43 Program.

44 **§ 115C-238.36. Awards; eligible uses.**

45 (a) Eligible Uses. – Grants shall be used to award funds for new or existing eligible
46 programs for at-risk students operated by nonprofit corporations and nonprofit corporations
47 working in collaboration with local school administrative units. Programs should focus on
48 servicing (i) at-risk students not performing at grade level as demonstrated by statewide
49 assessments, (ii) students at risk of dropout, and (iii) students at risk of school displacement due
50 to suspension or expulsion as a result of antisocial behaviors. Priority consideration shall be given

1 to applications demonstrating models that focus services and programs in schools that are
2 identified as low-performing pursuant to G.S. 115C-105.37.

3 (b) Awards; Required Match. – Grant participants are eligible to receive grants for up to
4 two years in an amount of up to five hundred thousand dollars (\$500,000) each year. A grant
5 participant shall provide certification to the Department of Public Instruction that the grants
6 received under the Program shall be matched on the basis of three dollars (\$3.00) in grant funds
7 for every one dollar (\$1.00) in nongrant funds. Matching funds shall not include other State funds.
8 The Department shall also give priority consideration to an applicant that is a nonprofit
9 corporation working in partnership with a local school administrative unit resulting in a match
10 utilizing federal funds under Part A of Title I of the Elementary and Secondary Education Act of
11 1965, as amended, or Title IV of the Higher Education Act of 1965, as amended, and other federal
12 or local funds. Matching funds may include in-kind contributions for up to fifty percent (50%)
13 of the required match.

14 (c) A nonprofit corporation may act as its own fiscal agent for the purposes of this
15 Program.

16 "**§ 115C-238.37. Reporting requirements.**

17 (a) Recipient Reporting. – No later than July 15 of each year in which a grant recipient
18 is participating in the Program, the recipient shall report to the Department of Public Instruction
19 on the expenditure of grant funds and the progress of the Program, including alignment with State
20 academic standards, data collection for reporting student progress, the source and amount of
21 matching funds, and other measures, before receiving funding for the next fiscal year. Grant
22 recipients shall also submit a final report on key performance data, including statewide test
23 results, attendance rates, graduation rates, and promotion rates, and financial sustainability of the
24 Program.

25 (b) Department Reporting. – No later than September 15 of each year of the Program, the
26 Department of Public Instruction shall report to the Joint Legislative Education Oversight
27 Committee on the Program, including recommendations regarding effective program models,
28 standards, and performance measures based on student performance, leveraging of
29 community-based resources to expand student access to learning activities, academic and
30 behavioral support services, and potential opportunities for the State to invest in proven models
31 for future grant programs."
32

33 **TEACHER APPRENTICESHIP PROGRAM**

34 **SECTION 7.37.(a)** Article 17D of Chapter 115C of the General Statutes is amended
35 by adding a new section to read:

36 "**§ 115C-269.33. Teacher Apprenticeship Program.**

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

38 (1) Advanced Teaching Roles unit. – As defined in G.S. 115C-310.3(6).

39 (2) Apprentice. – A person who is employed as an apprentice by an apprenticeship
40 employer and meets all of the following criteria:

41 a. Holds a bachelor's degree.

42 b. Is eligible to hold or holds one of the following:

43 1. An emergency license.

44 2. A residency license.

45 3. A permit to teach issued by the Department in accordance with
46 rules adopted by the State Board of Education.

47 c. Submitted a Free Application for Federal Student Aid (FAFSA).

48 (3) Apprenticeship employer. – An Advanced Teaching Roles unit that meets all
49 of the following criteria:

50 a. Has a registered apprenticeship program under requirements
51 established by the United States Department of Labor.

- 1 b. Employs apprentices under the Program.
2 (4) Department. – The Department of Public Instruction.
3 (5) Program. – The Teacher Apprenticeship Program.
4 (6) RFP. – Request for proposals.
5 (b) Program Established; Purpose. – There is established the Teacher Apprenticeship
6 Program as a competitive grant program for the purpose of increasing the number of
7 professionally licensed teachers in the State and improving teacher competency, student
8 outcomes, and teacher retention in the State. The Department of Public Instruction shall
9 administer the Program in collaboration with ApprenticeshipNC as set forth in this section.
10 (c) Request for Proposals. – No later than November 1 of each year, ApprenticeshipNC
11 shall issue an RFP for the Program. Advanced Teaching Roles units may submit proposals by
12 January 1 of the following calendar year. Proposals shall include at least the following
13 information:
14 (1) A plan to establish a registered teacher apprenticeship program in
15 collaboration with ApprenticeshipNC, including at least the following
16 information:
17 a. The number of apprentices the unit intends to employ using grant
18 funds for State-funded salary supplements, State-funded enrollment
19 expenses, or both.
20 b. Specific subject areas and grade levels in the local school
21 administrative unit with teacher shortages.
22 (2) A system of supports that would be provided for apprentices, including
23 qualifications of mentor teachers and a schedule of supervision.
24 (3) Alternative sources of funding to support apprenticeships that could be paired
25 with State funds received under the Program, including federal workforce
26 development funds.
27 (4) An explanation of how the unit would incorporate its registered teacher
28 apprenticeship program with its advanced teaching roles program to enhance
29 the learning environment for apprentices.
30 (5) Strategies to encourage candidates to accept an apprenticeship instead of
31 directly entering the teacher profession on a Residency License, Emergency
32 License, or permit to teach.
33 (d) Selection of Recipients. – By March 15 of each school year in which proposals are
34 submitted, ApprenticeshipNC shall review the proposals and select local school administrative
35 units to participate in the Program, beginning in the subsequent school year. ApprenticeshipNC
36 shall notify the Department of its selections, and the Department shall allocate funds to the
37 selected Advanced Teaching Roles units in accordance with subsection (e) of this section.
38 (e) Allocation of State Grant Funds. – To the extent funds are appropriated by the General
39 Assembly for this purpose, the Department shall allocate the funds for grants to apprenticeship
40 employers based on the number of apprentices the unit intends to employ receiving grant funds
41 for State-funded salary supplements, State-funded enrollment expenses, or both, up to a
42 maximum of 10 total apprentices per unit, as follows:
43 (1) Up to seven thousand five hundred dollars (\$7,500) per apprentice per year,
44 plus any additional funds necessary for benefits, to provide salary supplements
45 for apprentices in accordance subdivision (3) of subsection (f) of this section.
46 (2) Up to five thousand dollars (\$5,000) per apprentice per year for the costs of
47 enrollment of an apprentice in an institution of higher education in accordance
48 with subdivision (5) of subsection (f) of this section.
49 (f) Program Requirements. – The following minimum requirements shall apply to
50 apprentices and apprenticeship employers under the Program:

- 1 (1) Number of apprentices. – An apprenticeship employer shall employ no more
2 than a maximum of 10 total apprentices who receive grant funds for
3 State-funded salary supplements, State-funded enrollment expenses, or both.
4 An apprenticeship employer may employ additional apprentices receiving
5 funds for salary supplements or education expenses from other sources.
- 6 (2) Funds for positions. – An apprenticeship employer may employ apprentices
7 using State funds allotted for teacher assistant positions, with roles and
8 responsibilities modified to meet the requirements of the Program, or other
9 available funds.
- 10 (3) Salary supplements. – As follows:
- 11 a. An apprenticeship employer shall provide the following salary
12 supplements:
- 13 1. For each apprentice, up to a maximum of seven thousand five
14 hundred dollars (\$7,500) per apprentice.
- 15 2. For each mentor teacher, up to a maximum of five thousand
16 dollars (\$5,000) per mentor teacher.
- 17 b. An apprenticeship employer may provide a salary supplement for any
18 other teacher employed by the local school administrative unit who
19 agrees to become the teacher of record for additional students to
20 facilitate the operation of the registered apprenticeship program in that
21 unit, up to a maximum of three thousand dollars (\$3,000).
- 22 (4) Mentors. – Each apprentice shall work full time in a classroom with a mentor
23 teacher who is a member of a team of teachers that is led by a teacher with an
24 advanced teaching role. For purposes of this subdivision, a mentor teacher
25 may include a classroom excellence teacher as defined in G.S. 115C-310.3(7).
- 26 (5) Enrollment costs. – An apprentice shall enroll in or remain enrolled in a
27 recognized educator preparation program. An apprenticeship employer may
28 provide up to a maximum of five thousand dollars (\$5,000) per apprentice per
29 year for the costs of enrollment in an institution of higher education. These
30 funds shall only be used after the apprentice has exhausted all other
31 scholarships or grants covering the cost of attendance at an institution of
32 higher education, including federal Pell grants.
- 33 (6) Limitations. – An apprentice shall not do any of the following:
- 34 a. Serve as the teacher of record for any students.
- 35 b. Engage in substitute teaching for more than eight hours per week.
- 36 c. Work as an apprentice for more than three years.
- 37 (g) Term. – The Department shall award grant funds to selected Advanced Teaching
38 Roles units to serve as apprenticeship employers for one or more terms of three years. Prior to
39 the conclusion of a term, ApprenticeshipNC shall evaluate the success of the Program at the unit
40 and the compliance of the unit with the requirements of this section. At the conclusion of the
41 evaluation, ApprenticeshipNC may, in its discretion, renew the apprenticeship employer for an
42 additional term. Throughout the Program, an apprenticeship employer shall provide any
43 information or access requested by ApprenticeshipNC to evaluate the registered apprenticeship
44 program pursuant to this section.
- 45 (h) Emergency Position Conversion. – Notwithstanding G.S. 115C-105.25(b), an
46 apprenticeship employer may convert one position allocated to the unit for classroom teachers to
47 its dollar equivalent at the salary on the first step of the "A" Teachers Salary Schedule for every
48 one apprentice employed by the unit who is receiving State grant funds if all of the following are
49 met:

- 1 (1) The apprentice receiving State grant funds would have been eligible to fill the
2 vacant position using a residency license, emergency license, or permit to
3 teach but was instead hired into the apprentice position.
- 4 (2) The funds are only used for one or more of the following purposes in
5 accordance with the requirements of the Program:
- 6 a. Salary supplements for apprentices.
7 b. Salary supplements for mentor teachers.
8 c. Costs of enrollment in an institution of higher education.
9 d. Salary supplements for teachers identified in sub-subdivision b. of
10 subdivision (3) of subsection (f) of this section.
- 11 (i) Administration. – Of the funds appropriated to the Department of Public Instruction
12 for the Program for each fiscal year, the Department shall allocate the greater of fifteen percent
13 (15%) or three hundred thousand dollars (\$300,000) to ApprenticeshipNC to do all of the
14 following in consultation with the Department:
- 15 (1) Outline the duties and responsibilities of apprentices, including on-the-job
16 training requirements.
- 17 (2) Collaborate with recognized educator preparation programs to establish
18 education requirements for apprentices and revise curriculum requirements
19 for student teaching to include apprenticeships under the Program.
- 20 (3) Create minimum competencies for apprentices that reflect the progressive
21 acquisition of ability.
- 22 (4) Create resources that can be used by apprenticeship employers to select and
23 train mentor teachers, including the responsibilities of a mentor teacher and
24 background information on teacher apprenticeship programs.
- 25 (5) Develop a process to monitor apprentices in their first years of teaching after
26 successful completion of the Program to evaluate the qualities of teacher
27 candidates that correlate to successful outcomes and lower teacher turnover
28 rates.
- 29 (6) Assist apprenticeship employers with the following:
- 30 a. Combining State and federal funds to maximize the number of
31 apprentices in the Program.
- 32 b. Complying with applicable State and federal law.
- 33 (7) Develop a training module for mentor teachers that establishes standards for
34 mentor teachers under the Program and incorporates, where applicable, any
35 preexisting standards for mentor teachers.
- 36 (j) Report. – No later than March 15 of each year, ApprenticeshipNC shall report to the
37 Joint Legislative Education Oversight Committee on the Program, including at least the
38 following information:
- 39 (1) The impact of the Program for each apprenticeship employer on the following:
- 40 a. The number of teachers, disaggregated by licensure type.
41 b. Student outcomes.
42 c. Teacher retention.
- 43 (2) Successful strategies and best practices used by apprenticeship employers.
44 (3) Any barriers to expanding the Program."

45 **SECTION 7.37.(b)** G.S. 115C-269.32 is repealed.

46 **SECTION 7.37.(c)** Notwithstanding any other provision of law or a provision of the
47 Committee Report described in Section 43.2 of S.L. 2023-134 to the contrary, of the one million
48 dollars (\$1,000,000) in recurring funds allocated for the Teacher Apprentice Grant Program
49 pursuant to G.S. 115C-269.32, beginning in the 2025-2026 fiscal year, these funds shall instead
50 be used for the Teacher Apprenticeship Program established pursuant to subsection (a) of this
51 section.

1 **SECTION 7.37.(d)** This section becomes effective July 1, 2025. ApprenticeshipNC
 2 shall issue the initial request for proposals pursuant to G.S. 115C-269.33, as enacted by
 3 subsection (a) of this section, by November 1, 2025, for applications from local school
 4 administrative units to establish registered teacher apprenticeship programs beginning in the
 5 2026-2027 school year. Notwithstanding G.S. 115C-269.33(j), as enacted by subsection (a) of
 6 this section, ApprenticeshipNC shall provide its initial report on the impact of the Teacher
 7 Apprenticeship Program by March 15, 2027.

8
 9 **REPEAL INTERNSHIP REQUIREMENTS FOR STUDENTS IN ADMINISTRATOR
 10 PREPARATION PROGRAMS**

11 **SECTION 7.38.(a)** G.S. 115C-270.20(b) reads as rewritten:

12 "(b) Administrator Licenses. – The State Board shall establish rules for the issuance of the
 13 following classes of administrator licenses, including required levels of preparation for each
 14 classification:

15 (1) Administrator license. – A five-year renewable license issued to an individual
 16 who meets all of the following requirements:

- 17 a. Holds a bachelor's degree.
 18 b. Has successfully completed an approved administrator preparation
 19 program.
 20 c. Has at least four years of experience as a licensed professional
 21 educator.
 22 d. Has submitted a portfolio to the State Board for approval that meets
 23 criteria adopted by the State Board.

24 (2) Provisional assistant principal license. – A one-year license to be employed as
 25 an assistant principal, renewable twice, issued to an employee of a local board
 26 of education if ~~one of the following requirements is met:~~

- 27 ~~a. The the local board of education determines there is a demonstrated
 28 need for administrators and the employee enrolls in an approved
 29 administrator preparation program by the end of the first year of
 30 provisional licensure.
 31 b. The employee is participating in an internship required for completion
 32 of an approved administrator preparation program."~~

33 **SECTION 7.38.(b)** G.S. 115C-284.1(d) reads as rewritten:

34 "(d) Minimum Approval Standards. – At a minimum, the rules established as provided in
 35 subsection (c) of this section shall require APPs to meet the following requirements:

36 ~~(1) Require all candidates to complete an internship that is at least 500 hours in
 37 duration.~~

38 ...

39 (8) Require written agreements between the institution of higher education and a
 40 public school unit to govern their shared responsibility for (i) recruitment and
 41 preparation of school administrators, especially with regard to clinical
 42 experiences, ~~including the internship~~, and (ii) a new administrator's success
 43 once employed.

44 "

45
 46 **INCREASE STATE MATCH FOR SMALL COUNTY AND LOW-WEALTH SIGNING
 47 BONUS PROGRAM**

48 **SECTION 7.39.(a)** G.S. 115C-302.8(b) reads as rewritten:

49 "(b) Signing Bonus Program. – To the extent funds are provided for this purpose, the
 50 Department of Public Instruction shall establish and administer a signing bonus program for
 51 teachers. Signing bonuses shall be provided each school year to all eligible employees who are

1 employed by an eligible employer as long as they are matched on the basis of ~~one dollar (\$1.00)~~
 2 two dollars (\$2.00) in State funds for every one dollar (\$1.00) in local funds, up to ~~one thousand~~
 3 ~~dollars (\$1,000)~~ two thousand dollars (\$2,000) in State funds."

4 **SECTION 7.39.(b)** This section applies beginning with the 2025-2026 school year.

5
 6 **TREASURER TO AWARD GRANTS FROM NEEDS-BASED PUBLIC SCHOOL**
 7 **CAPITAL FUNDS**

8 **SECTION 7.40.(a)** Article 38B of Chapter 115C of the General Statutes reads as
 9 rewritten:

10 "Article 38B.

11 "Needs-Based Public School Capital Fund.

12 **"§ 115C-546.10. Fund created; purpose; prioritization.**

13 There is created the Needs-Based Public School Capital Fund as an interest-bearing,
 14 nonreverting special fund in the Department of Public Instruction. The State Treasurer shall be
 15 the custodian of the Needs-Based Public School Capital Fund and shall invest its assets in
 16 accordance with the provisions of G.S. 147-69.2 and G.S. 147-69.3. The Department of ~~Public~~
 17 ~~Instruction~~ State Treasurer shall award grants from the Fund to counties to assist with their
 18 critical public school building capital needs in accordance with the following priorities:

- 19 (1) Counties designated as development tier one areas.
- 20 (2) Counties with greater need and less ability to generate sales tax and property
 21 tax revenue.
- 22 (3) Counties with a high debt-to-tax revenue ratio.
- 23 (4) The extent to which a project will address critical deficiencies in adequately
 24 serving the current and future student population.
- 25 (5) Projects with new construction or complete renovation of existing facilities.
- 26 (6) Projects that will consolidate two or more schools into one new facility.
- 27 (7) Counties that have not received a grant under this Article in the previous three
 28 years.

29 **"§ 115C-546.11. Matching requirement; use of funds; maximum awards; project review.**

30 ...

31 ~~(d) The Department of Public Instruction shall review projected enrollment to evaluate~~
 32 ~~the reasonableness of a project's size and scope.~~ A county may include in a grant application a
 33 minimum grant amount that would enable the project to proceed. A grant application that
 34 proposes to consolidate two or more schools by (i) making additions or renovations at one or
 35 more school facilities and (ii) closing one or more existing school facilities may be submitted
 36 and considered ~~by the Department of Public Instruction~~ as a single project. Each application for
 37 a grant under this Article shall be evaluated independent of other grant applications submitted. A
 38 county may not apply for projects that exceed an aggregate amount greater than the maximum
 39 grant award amounts listed in subsection (c) of this section in any single year.

40 (e) The Department of Public Instruction shall receive all grant applications and
 41 supporting materials to ensure that all eligibility criteria under this section are met. The
 42 Department of Public Instruction shall provide all grant applications and the supporting materials
 43 that meet the requirements under this Article to the Department of State Treasurer for evaluation,
 44 selection, and award of grant funds. Upon the evaluation and selection of the grant recipients, the
 45 Department of State Treasurer shall notify the Department of Public Instruction of the selected
 46 grant recipients and the amount of grant funds awarded to each of the recipients. The Department
 47 of Public Instruction is responsible for disbursing the awarded grant funds to each selected grant
 48 recipient.

49 ~~(f) The Department of Public Instruction~~ State Treasurer shall not award a grant to an
 50 applicant at less than the requested amount or less than the maximum grant amounts listed in

1 subsection (c) of this section for the purpose of reserving the amount of grant funds available for
 2 other grant applications.

3 (g) If a county declines or otherwise forfeits a grant awarded under this section, the
 4 Department of State Treasurer shall not award additional grants to that county for 24 months
 5 from the date the grant award was declined or forfeited.

6 ...

7 **"§ 115C-546.14. Reporting.**

8 (a) On or before April 1 of each year, a grant recipient shall submit to the Department of
 9 Public Instruction and the Department of State Treasurer an annual report for the preceding year
 10 that describes the progress of the project for which the grant was received. The grant recipient
 11 shall submit a final report to the Department of Public Instruction and the Department of State
 12 Treasurer within three months of the completion of the project.

13 (b) On or before May 1 of each year, the Department of ~~Public Instruction~~ ~~State~~
 14 ~~Treasurer, in consultation with the Department of Public Instruction,~~ shall submit a report to the
 15 ~~chairs of the Senate Appropriations Committee on Education/Higher Education, the chairs of the~~
 16 ~~House Appropriations Committee on Education, Joint Legislative Education Oversight~~
 17 ~~Committee~~ and the Fiscal Research Division. The report shall contain at least all of the following
 18 information for the fiscal year:

- 19 (1) Number, description, and geographic distribution of projects awarded.
- 20 (2) Total cost of each project and amount supported by the Needs-Based Public
 21 School Capital Fund.
- 22 (3) Projections for local school administrative unit capital needs for the next 30
 23 years based upon present conditions and estimated demographic changes.
- 24 (4) Any legislative recommendations for improving the Needs-Based Public
 25 School Capital Fund program."

26 **SECTION 7.40.(b)** This section applies beginning with grants awarded for the
 27 2025-2026 fiscal year.

28
 29 **PART VII-A. COMPENSATION OF PUBLIC SCHOOL EMPLOYEES**

30
 31 **TEACHER SALARY SCHEDULE**

32 **SECTION 7A.1.(a)** The following monthly teacher salary schedule shall apply for
 33 each year of the 2025-2027 fiscal biennium to licensed personnel of the public schools who are
 34 classified as teachers. The salary schedule is based on years of teaching experience.

35 **2025-2027 Teacher Monthly Salary Schedule**

| 36 Years of Experience | "A" Teachers |
|-------------------------------|---------------------|
| 37 0 | \$4,151 |
| 38 1 | \$4,227 |
| 39 2 | \$4,303 |
| 40 3 | \$4,379 |
| 41 4 | \$4,455 |
| 42 5 | \$4,531 |
| 43 6 | \$4,629 |
| 44 7 | \$4,721 |
| 45 8 | \$4,812 |
| 46 9 | \$4,905 |
| 47 10 | \$4,997 |
| 48 11 | \$5,088 |
| 49 12 | \$5,180 |
| 50 13 | \$5,271 |
| 51 14 | \$5,363 |

1 15-24 \$5,455

2 25+ \$5,665

3 **SECTION 7A.1.(b)** Salary Supplements for Teachers Paid on This Salary Schedule.

4 -

5 (1) Licensed teachers who have NBPTS certification shall receive a salary
6 supplement each month of twelve percent (12%) of their monthly salary on
7 the "A" salary schedule.

8 (2) Licensed teachers who are classified as "M" teachers shall receive a salary
9 supplement each month of ten percent (10%) of their monthly salary on the
10 "A" salary schedule.

11 (3) Licensed teachers with licensure based on academic preparation at the
12 six-year degree level shall receive a salary supplement of one hundred
13 twenty-six dollars (\$126.00) per month in addition to the supplement provided
14 to them as "M" teachers.

15 (4) Licensed teachers with licensure based on academic preparation at the
16 doctoral degree level shall receive a salary supplement of two hundred
17 fifty-three dollars (\$253.00) per month in addition to the supplement provided
18 to them as "M" teachers.

19 (5) Certified school nurses shall receive a salary supplement each month of ten
20 percent (10%) of their monthly salary on the "A" salary schedule.

21 (6) School counselors who are licensed as counselors at the master's degree level
22 or higher shall receive a salary supplement each month of one hundred dollars
23 (\$100.00).

24 **SECTION 7A.1.(c)** For school psychologists, school speech pathologists who are
25 licensed as speech pathologists at the master's degree level or higher, and school audiologists
26 who are licensed as audiologists at the master's degree level or higher, the following shall apply:

27 (1) The first step of the salary schedule shall be equivalent to the sixth step of the
28 "A" salary schedule.

29 (2) These employees shall receive the following salary supplements each month:
30 a. Ten percent (10%) of their monthly salary, excluding the supplement
31 provided pursuant to sub-subdivision b. of this subdivision.
32 b. Three hundred fifty dollars (\$350.00).

33 (3) These employees are eligible to receive salary supplements equivalent to those
34 of teachers for academic preparation at the six-year degree level or the
35 doctoral degree level.

36 (4) The twenty-sixth step of the salary schedule shall be seven and one-half
37 percent (7.5%) higher than the salary received by these same employees on
38 the twenty-fifth step of the salary schedule.

39 **SECTION 7A.1.(d)** Beginning with the 2014-2015 fiscal year, in lieu of providing
40 annual longevity payments to teachers paid on the teacher salary schedule, the amounts of those
41 longevity payments are included in the monthly amounts under the teacher salary schedule.

42 **SECTION 7A.1.(e)** A teacher compensated in accordance with this salary schedule
43 for the 2025-2027 fiscal biennium shall receive an amount equal to the greater of the following:

44 (1) The applicable amount on the salary schedule for the applicable school year.

45 (2) For teachers who were eligible for longevity for the 2013-2014 school year,
46 the sum of the following:

47 a. The salary the teacher received in the 2013-2014 school year pursuant
48 to Section 35.11 of S.L. 2013-360.

49 b. The longevity that the teacher would have received under the longevity
50 system in effect for the 2013-2014 school year provided in Section
51 35.11 of S.L. 2013-360 based on the teacher's current years of service.

- 1 c. The annual bonus provided in Section 9.1(e) of S.L. 2014-100.
2 (3) For teachers who were not eligible for longevity for the 2013-2014 school
3 year, the sum of the salary and annual bonus the teacher received in the
4 2014-2015 school year pursuant to Section 9.1 of S.L. 2014-100.

5 **SECTION 7A.1.(f)** As used in this section, the term "teacher" shall also include
6 instructional support personnel.
7

8 **CONSOLIDATED TEACHER BONUS PROGRAM**

9 **SECTION 7A.2.(a)** Article 20 of Chapter 115C of the General Statutes is amended
10 by adding the following new section to read:

11 **"§ 115C-302.9. Teacher bonuses.**

12 (a) Program. – The State Board of Education shall establish a consolidated teacher bonus
13 program to reward teacher performance and encourage student learning and improvement. To
14 attain this goal, to the extent funds are made available for this purpose, the Department of Public
15 Instruction shall administer bonus pay to qualifying teachers whose salaries are supported from
16 State funds in January of each year, based on data from the prior school year, in accordance with
17 this section.

18 (b) Definitions. – For purposes of this section, the following definitions shall apply:

19 (1) Eligible advanced course teacher. – A teacher of Advanced Placement
20 courses, International Baccalaureate Diploma Programme courses, or the
21 Cambridge Advanced International Certificate of Education (AICE) program
22 who meets the following criteria:

23 a. Is employed by, or retired having last held a position at, one or more
24 of the following:

25 1. A qualifying public school unit.

26 2. The North Carolina Virtual Public School program.

27 b. Taught one or more students who received a score listed in subsection
28 (c) of this section.

29 (2) Eligible career and technical education (CTE) teacher. – A teacher who meets
30 the following criteria:

31 a. Is employed by, or retired having last held a position at, a qualifying
32 public school unit.

33 b. Taught one or more students who attained approved industry
34 certifications or credentials consistent with G.S. 115C-156.2.

35 (3) Eligible growth teacher. – A teacher who meets at least one of the following
36 criteria:

37 a. Is employed by, or retired having last held a position at, a qualifying
38 public school unit and meets one of the following criteria:

39 1. Is in the top twenty-five percent (25%) of teachers in the State
40 according to the EVAAS student growth index score for third
41 grade reading from the previous school year.

42 2. Is in the top twenty-five percent (25%) of teachers in the State
43 according to the EVAAS student growth index score for fourth
44 or fifth grade reading from the previous school year.

45 3. Is in the top twenty-five percent (25%) of teachers in the State
46 according to the EVAAS student growth index score for fourth,
47 fifth, sixth, seventh, or eighth grade mathematics from the
48 previous school year.

49 b. Is employed by, or retired having last held a position at, a local school
50 administrative unit and meets one of the following criteria:

- 1 1. Is in the top twenty-five percent (25%) of teachers in the
 2 teacher's respective local school administrative unit according
 3 to the EVAAS student growth index score for third grade
 4 reading from the previous school year.
- 5 2. Is in the top twenty-five percent (25%) of teachers in the
 6 teacher's respective local school administrative unit according
 7 to the EVAAS student growth index score for fourth or fifth
 8 grade reading from the previous school year.
- 9 3. Is in the top twenty-five percent (25%) of teachers in the
 10 teacher's respective local school administrative unit according
 11 to the EVAAS student growth index score for fourth, fifth,
 12 sixth, seventh, or eighth grade mathematics from the previous
 13 school year.
- 14 c. Was employed by a local school administrative unit that employed in
 15 the previous school year three or fewer total teachers in that teacher's
 16 grade level as long as the teacher has an EVAAS student growth index
 17 score from the previous school year of exceeded expected growth in
 18 one of the following subject areas:
- 19 1. Third grade reading.
 20 2. Fourth or fifth grade reading.
 21 3. Fourth, fifth, sixth, seventh, or eighth grade mathematics.
- 22 (4) EVAAS. – The Education Value-Added Assessment System.
- 23 (5) Predecessor bonus programs. – All of the following:
- 24 a. The Advanced Placement/International Baccalaureate/Cambridge
 25 AICE Teacher Bonus Program provided in Section 8.8 of S.L.
 26 2016-94, as amended by Section 8.8B of S.L. 2017-57, Section 2.10
 27 of S.L. 2017-97, and Section 8.10 of S.L. 2018-5.
- 28 b. The Industry Certifications and Credentials Teacher Bonus Program
 29 provided in Section 8.9 of S.L. 2016-94, as amended by Section 8.8B
 30 of S.L. 2017-57, Section 2.10 of S.L. 2017-97, and Section 8.10 of
 31 S.L. 2018-5.
- 32 c. The Third Grade Read to Achieve Teacher Bonus Program provided
 33 in Section 8.8C of S.L. 2017-57, as amended by Section 2.10 of S.L.
 34 2017-97 and Section 8.10 of S.L. 2018-5.
- 35 d. The Fourth and Fifth Grade Reading Teacher Bonus Program provided
 36 in Section 8.8D of S.L. 2017-57, as amended by Section 8.11 of S.L.
 37 2018-5.
- 38 e. The Fourth to Eighth Grade Math Teacher Bonus Program provided
 39 in Section 8.8E of S.L. 2017-57, as amended by Section 8.12 of S.L.
 40 2018-5.
- 41 f. Advanced course and CTE Teacher bonuses provided in Section 7A.4
 42 of S.L. 2021-180.
- 43 g. Bonuses for Teachers Based on Student Growth provided in Section
 44 7A.2 of S.L. 2022-74.
- 45 h. The Consolidated Teacher Bonus Program provided in Section 7A.3
 46 of S.L. 2023-134.
- 47 (6) Qualifying public school unit. – Any of the following:
- 48 a. A local school administrative unit.
 49 b. A charter school.
 50 c. A regional school.

- 1 d. A school providing elementary or secondary instruction operated by
2 The University of North Carolina under Article 29A of Chapter 116 of
3 the General Statutes.
- 4 (7) Qualifying teacher. – An eligible teacher who meets one of the following
5 criteria:
- 6 a. Remains employed teaching in the same qualifying public school unit
7 or, if an eligible advanced course teacher is only employed by the
8 North Carolina Virtual Public School program, remains employed
9 teaching in that program, at least from the school year the data is
10 collected until January 1 of the corresponding school year that the
11 bonus is paid.
- 12 b. Retired, between the last day of the school year in which the data is
13 collected and January 1 of the corresponding school year in which the
14 bonus is paid, after attaining one of the following:
- 15 1. The age of at least 65 with five years of creditable service.
16 2. The age of at least 60 with 25 years of creditable service.
17 3. Thirty years of creditable service.
- 18 (c) Advanced Course Bonuses. – A bonus in the amount of fifty dollars (\$50.00) shall be
19 provided to qualifying advanced course teachers for each student taught in each advanced course
20 who receives the following score:
- 21 (1) For Advanced Placement courses, a score of three or higher on the College
22 Board Advanced Placement Examination.
- 23 (2) For International Baccalaureate Diploma Programme courses, a score of four
24 or higher on the International Baccalaureate course examination.
- 25 (3) For the Cambridge AICE program, a score of "E" or higher on the Cambridge
26 AICE program examinations.
- 27 (d) CTE Bonuses. – For qualifying career and technical education teachers, bonuses shall
28 be provided in the following amounts:
- 29 (1) A bonus in the amount of twenty-five dollars (\$25.00) for each student taught
30 by a teacher who provided instruction in a course that led to the attainment of
31 an industry certification or credential with a twenty-five dollar (\$25.00) value
32 ranking as determined under subsection (e) of this section.
- 33 (2) A bonus in the amount of fifty dollars (\$50.00) for each student taught by a
34 teacher who provided instruction in a course that led to the attainment of an
35 industry certification or credential with a fifty dollar (\$50.00) value ranking
36 as determined under subsection (e) of this section.
- 37 (e) CTE Course Value Ranking. – The Department of Commerce, in consultation with
38 the State Board, shall assign a value ranking for each industry certification and credential based
39 on academic rigor and employment value in accordance with this subsection. Fifty percent (50%)
40 of the ranking shall be based on academic rigor and the remaining fifty percent (50%) on
41 employment value. Academic rigor and employment value shall be based on the following
42 elements:
- 43 (1) Academic rigor shall be based on the number of instructional hours, including
44 work experience or internship hours, required to earn the industry certification
45 or credential, with extra weight given for coursework that also provides
46 community college credit.
- 47 (2) Employment value shall be based on the entry wage, growth rate in
48 employment for each occupational category, and average annual openings for
49 the primary occupation linked with the industry certification or credential.

1 (f) Statewide Growth Bonuses. – The Department shall provide bonuses to qualifying
2 teachers who are eligible teachers under sub-subdivision a. of subdivision (3) of subsection (b)
3 of this section, as follows:

4 (1) The sum of five million dollars (\$5,000,000) shall be allocated for bonuses to
5 eligible teachers under sub-sub-subdivision a.1. of subdivision (3) of
6 subsection (b) of this section. These funds shall be distributed equally among
7 qualifying teachers.

8 (2) A bonus in the amount of two thousand dollars (\$2,000) shall be awarded to
9 each qualifying teacher who is an eligible teacher under sub-sub-subdivision
10 a.2. of subdivision (3) of subsection (b) of this section.

11 (3) A bonus in the amount of two thousand dollars (\$2,000) shall be awarded to
12 each qualifying teacher who is an eligible teacher under sub-sub-subdivision
13 a.3. of subdivision (3) of subsection (b) of this section.

14 (g) Local Growth Bonuses. – The Department shall provide bonuses to eligible teachers
15 under sub-subdivisions b. and c. of subdivision (3) of subsection (b) of this section, as follows:

16 (1) The sum of five million dollars (\$5,000,000) shall be allocated for bonuses to
17 eligible EVAAS teachers under sub-sub-subdivisions b.1. and c.1. of
18 subdivision (3) of subsection (b) of this section. These funds shall be divided
19 proportionally based on average daily membership in third grade for each
20 local school administrative unit and then distributed equally among qualifying
21 third grade reading teachers in each local school administrative unit.

22 (2) A bonus in the amount of two thousand dollars (\$2,000) shall be awarded to
23 each qualifying teacher who is an eligible teacher under sub-sub-subdivision
24 b.2. or c.2. of subdivision (3) of subsection (b) of this section.

25 (3) A bonus in the amount of two thousand dollars (\$2,000) shall be awarded to
26 each qualifying teacher who is an eligible teacher under sub-sub-subdivision
27 b.3. or c.3. of subdivision (3) of subsection (b) of this section.

28 (h) Limitations and Other Criteria. – The following additional limitations and other
29 criteria shall apply to the program:

30 (1) Bonus funds awarded to a teacher pursuant to subsection (c), subsection (d),
31 subdivision (1) of subsection (f), and subdivision (1) of subsection (g) of this
32 section shall not exceed three thousand five hundred dollars (\$3,500) per
33 subsection or subdivision in any given school year.

34 (2) A qualifying teacher who is an eligible teacher under sub-sub-subdivision a.1.,
35 b.1., or c.1. of subdivision (3) of subsection (b) of this section may receive a
36 bonus under both subdivision (1) of subsection (f) and subdivision (1) of
37 subsection (g) of this section but shall not receive more than seven thousand
38 dollars (\$7,000) pursuant to subdivision (1) of subsection (f) and subdivision
39 (1) of subsection (g) of this section in any given school year.

40 (3) A qualifying teacher who is an eligible teacher under sub-sub-subdivision a.2.,
41 b.2., or c.2. of subdivision (3) of subsection (b) of this section may receive a
42 bonus under both subdivision (2) of subsection (f) and subdivision (2) of
43 subsection (g) of this section but shall not receive more than two bonuses
44 pursuant to subdivision (2) of subsection (f) and subdivision (2) of subsection
45 (g) of this section in any given school year.

46 (4) A qualifying teacher who is an eligible teacher under sub-sub-subdivision a.3.,
47 b.3., or c.3. of subdivision (3) of subsection (b) of this section may receive a
48 bonus under both subdivision (3) of subsection (f) and subdivision (3) of
49 subsection (g) of this section but shall not receive more than two bonuses
50 pursuant to subdivision (3) of subsection (f) and subdivision (3) of subsection
51 (g) of this section in any given school year.

1 (i) Bonuses Not Compensation. – Bonuses awarded to a teacher pursuant to this section
2 shall be in addition to any regular wage or other bonus the teacher receives or is scheduled to
3 receive. Notwithstanding G.S. 135-1(7a), the bonuses awarded under this section are not
4 compensation under Article 1 of Chapter 135 of the General Statutes, Retirement System for
5 Teachers and State Employees.

6 (j) Study and Report. – The State Board of Education shall study the effect of the
7 program on teacher performance and retention. The State Board shall report the results of its
8 findings and the amount of bonuses awarded to the President Pro Tempore of the Senate, the
9 Speaker of the House of Representatives, the Joint Legislative Education Oversight Committee,
10 and the Fiscal Research Division by March 15 of each year. The report shall include, at a
11 minimum, the following information:

12 (1) Number of students enrolled and taking examinations in each of the following
13 categories of courses:

14 a. Advanced Placement.

15 b. International Baccalaureate Diploma Programme.

16 c. Cambridge AICE program.

17 d. Courses needed for the attainment of an industry certification or
18 credential.

19 (2) Number of students receiving outcomes on examinations resulting in the
20 award of a bonus for a teacher in each category of courses identified in
21 subdivision (1) of this subsection.

22 (3) Number of teachers receiving a bonus in each category of courses identified
23 in subdivision (1) of this subsection.

24 (4) The amounts awarded to teachers for each category of courses identified in
25 subdivision (1) of this subsection.

26 (5) The type of industry certifications and credentials earned by the students, the
27 value ranking for each certification and credential, the number of bonuses
28 earned for each certification or credential, and the total bonus amount awarded
29 for each certification or credential.

30 (6) Average bonus amount awarded to each qualifying teacher who is an eligible
31 teacher under sub-sub-subdivision a.1., b.1., or c.1. of subdivision (3) of
32 subsection (b) of this section.

33 (7) The percentage of teachers who received a bonus pursuant to this section and
34 were eligible to receive a bonus for teaching in the same grade level or course
35 in either or both of the prior two school years pursuant to this section or a
36 predecessor bonus program.

37 (8) The percentage of teachers who received a bonus pursuant to this section and
38 received a bonus for teaching in the same grade level or course in either or
39 both of the prior two school years pursuant to this section or a predecessor
40 bonus program.

41 (9) The statistical relationship between a teacher receiving a bonus pursuant to
42 this section and receiving a bonus for teaching in the same grade level or
43 course in one or more prior school years pursuant to this section or a
44 predecessor bonus program.

45 (10) The distribution of statewide and local growth bonuses awarded pursuant to
46 this section as among qualifying public school units and, where applicable,
47 schools within those units."

48 **SECTION 7A.2.(b)** This section applies beginning with bonuses awarded in January
49 of 2026 based on data from the 2024-2025 school year.

50
51 **SUPPLEMENTAL FUNDS FOR TEACHER COMPENSATION**

1 **SECTION 7A.3.(a)** Use of Funds. – For each year of the 2025-2027 fiscal biennium,
2 except as provided in subsection (g) of this section, the State Board of Education shall allocate
3 funds pursuant to this section to eligible local school administrative units to provide salary
4 supplements to teachers and qualifying school administrators in those units. Allocation of salary
5 supplements among teachers and qualifying school administrators within each eligible local
6 school administrative unit, including whether a teacher or qualifying school administrator
7 receives a salary supplement and the amount of the supplement provided to that person, shall be
8 determined in the discretion of the local board of education of the eligible unit, except that no
9 individual salary supplement shall exceed the per teacher funding amount awarded to that unit
10 pursuant to subdivision (4) of subsection (c) of this section.

11 **SECTION 7A.3.(b)** Definitions. – As used in this section, the following definitions
12 shall apply:

- 13 (1) Adjusted market value of taxable real property. – A county's assessed taxable
14 real property value, using the latest available data published by the
15 Department of Revenue, divided by the county's sales assessment ratio
16 determined under G.S. 105-289(h).
- 17 (2) Composite value. – For each eligible county, the sum of the following:
 - 18 a. The taxable real property factor multiplied by sixty-five percent
19 (65%).
 - 20 b. The median household income factor multiplied by twenty-five
21 percent (25%).
 - 22 c. The effective tax rate factor multiplied by ten percent (10%).
- 23 (3) County allocation factor. – For each eligible county, the supplement factor for
24 that county divided by the sum of all supplement factors for the State.
- 25 (4) Effective tax rate. – The actual county tax rate multiplied by the most recent
26 annual sales assessment ratio for that county.
- 27 (5) Effective tax rate factor. – For each eligible county, the effective tax rate for
28 that county divided by the median effective tax rate in the State.
- 29 (6) Eligible county. – A county that has an adjusted market value of taxable real
30 property of less than seventy billion dollars (\$70,000,000,000).
- 31 (7) Eligible local school administrative unit. – A local school administrative unit
32 located in whole or in part in an eligible county.
- 33 (8) Eligible school. – A public school that is located in an eligible county and
34 governed by a local school administrative unit.
- 35 (9) Maintenance of effort amount. – For each local school administrative unit in
36 each fiscal year, the supplant factor multiplied by the total State and non-State
37 funds expended for salaries for teachers from the fiscal year for which the
38 most recent salary data are available.
- 39 (10) Median household income. – A county's median household income for the
40 most recent 12 months for which data are available, as that term is used in
41 G.S. 143B-437.08.
- 42 (11) Median household income factor. – For each eligible county, the median
43 household income in the State divided by the median household income for
44 that county.
- 45 (12) Non-State funds. – Any funds held by a local school administrative unit, other
46 than nonrecurring federal funds received as a result of legislation enacted by
47 Congress in response to COVID-19, that are not State funds.
- 48 (13) Qualifying school administrator. – Any of the following:
 - 49 a. Assistant principals paid pursuant to G.S. 115C-285(a)(8).
 - 50 b. Principals paid pursuant to G.S. 115C-285(a)(8a).

- 1 (14) Supplant factor. – For each local school administrative unit in each fiscal year
2 of the fiscal biennium, the total non-State funds expended for salary
3 supplements for teachers in the 2020-2021 fiscal year divided by the total
4 State and non-State funds expended for salaries for teachers in the 2020-2021
5 fiscal year.
- 6 (15) Supplement factor. – For each eligible county, the composite value multiplied
7 by the number of State-funded teachers employed in a school in the county
8 that is governed by a local school administrative unit.
- 9 (16) Taxable real property factor. – For each eligible county, the median adjusted
10 market value of taxable real property in the State divided by the adjusted
11 market value of taxable real property for that county.
- 12 (17) Teacher. – Teachers and instructional support personnel.

13 **SECTION 7A.3.(c)** Allocation of Funds. – The State Board of Education shall
14 allocate funds for salary supplements to eligible local school administrative units according to
15 the following procedure:

- 16 (1) County allocation. – For each eligible county, the State Board shall determine
17 a county allocation by multiplying the county allocation factor for that county
18 by the funding amount appropriated pursuant to this section for the applicable
19 fiscal year.
- 20 (2) Per teacher funding amount. – For each eligible county, the State Board shall
21 determine a per teacher funding amount by dividing the county allocation
22 amounts determined pursuant to subdivision (1) of this subsection by the total
23 number of State-funded teachers employed in all eligible schools in that
24 county.
- 25 (3) Unit funding amount. – For each eligible local school administrative unit, the
26 State Board shall determine the funding amount for that unit based on the per
27 teacher funding amount or amounts for the eligible county or counties where
28 the unit is located. For each county with an eligible school governed by the
29 unit, the State Board shall multiply the applicable per teacher funding amount
30 for that county determined pursuant to subdivision (2) of this subsection by
31 the number of State-funded teachers employed in the eligible school in that
32 county. If the unit is located in multiple eligible counties, the State Board shall
33 aggregate those amounts.
- 34 (4) Allocation and funding cap. – The State Board shall allocate the amount
35 determined pursuant to subdivision (3) of this subsection to each eligible local
36 school administrative unit for each applicable fiscal year, up to a maximum of
37 five thousand dollars (\$5,000) per State-funded teacher.

38 **SECTION 7A.3.(d)** Charter Schools. – Funds appropriated to the Department of
39 Public Instruction pursuant to this section shall be subject to the allocation of funds for charter
40 schools described in G.S. 115C-218.105. The General Assembly encourages charter schools
41 receiving funds pursuant to this section to provide salary supplements to teachers and qualifying
42 school administrators in the charter school in accordance with the requirements of this section.

43 **SECTION 7A.3.(e)** Formula for Distribution of Supplemental Funding Pursuant to
44 this Section Only. – The formula in this section is solely a basis for distribution of supplemental
45 funding to eligible local school administrative units and is not intended to reflect any measure of
46 the adequacy of the educational program or funding for public schools. The formula is also not
47 intended to reflect any commitment by the General Assembly to appropriate any additional
48 supplemental funds for eligible local school administrative units.

49 **SECTION 7A.3.(f)** Nonsupplant Requirement. – A local school administrative unit
50 that receives funds under this section shall use those funds to supplement non-State funds
51 provided for salary supplements for teachers and qualifying school administrators and shall not

1 use any State funds, including funds received under this section, Section 7A.4 of S.L. 2023-134,
 2 or Section 7A.12 of S.L. 2021-180, to supplant non-State funds provided for salary supplements
 3 for teachers and qualifying school administrators. For purposes of this section, a local school
 4 administrative unit has supplanted non-State funds if the State Board finds that the amount of
 5 non-State funds expended by the unit for salary supplements was less than ninety-five percent
 6 (95%) of the maintenance of effort amount for the local school administrative unit.

7 **SECTION 7A.3.(g) Nonsupplant Enforcement.** – The State Board of Education shall
 8 not allocate any funds under this section to a local school administrative unit if it determines that
 9 the unit has supplanted non-State funds in violation of subsection (f) of this section.

10 **SECTION 7A.3.(h) Reports.** – No later than April 15 of each year of the 2025-2027
 11 fiscal biennium, the State Board of Education shall report the following information for the
 12 applicable fiscal year to the Joint Legislative Education Oversight Committee and the Fiscal
 13 Research Division:

- 14 (1) A list of all eligible counties and eligible local school administrative units.
- 15 (2) Funds allocated to each eligible local school administrative unit.
- 16 (3) The percentage and amount of teachers and qualifying school administrators
 17 in each eligible local school administrative unit receiving salary supplements.
- 18 (4) The average salary supplement amount in each eligible local school
 19 administrative unit.
- 20 (5) The range of salary supplement amounts in each eligible local school
 21 administrative unit.
- 22 (6) The effect of the salary supplements on the retention of teachers and
 23 qualifying school administrators in eligible local school administrative units.
- 24 (7) The identity of any local school administrative unit that the State Board
 25 determines has supplanted funds.

26
 27 **PRINCIPAL SALARY SCHEDULE**

28 **SECTION 7A.4.(a)** The following annual salary schedule for principals shall apply
 29 for each year of the 2025-2027 fiscal biennium, beginning July 1, 2025:

30 **2025-2027 Principal Annual Salary Schedule**

| 31 Avg. Daily Membership | 32 Base | 33 Met Growth | 34 Exceeded Growth |
|---------------------------------|----------------|----------------------|---------------------------|
| 35 0-200 | \$78,764 | \$86,640 | \$94,517 |
| 36 201-400 | \$82,702 | \$90,972 | \$99,242 |
| 37 401-700 | \$86,640 | \$95,305 | \$103,969 |
| 38 701-1,000 | \$90,579 | \$99,636 | \$108,695 |
| 39 1,001-1,600 | \$94,517 | \$103,969 | \$113,420 |
| 40 1,601+ | \$98,454 | \$108,300 | \$118,146 |

41 A principal's placement on the salary schedule shall be determined according to the
 42 average daily membership of the school supervised by the principal, as described in subsection
 43 (b) of this section, and the school growth scores, calculated pursuant to G.S. 115C-83.15(c), for
 44 each school the principal supervised in one or more prior school years, as described in subsection
 45 (c) of this section, regardless of a break in service, and provided the principal supervised each
 46 school as a principal for at least a majority of the school year, as follows:

- 47 (1) A principal shall be paid according to the Exceeded Growth column of the
 48 schedule if the school growth scores show the school or schools exceeded
 49 expected growth in at least two of the prior three school years.
- 50 (2) A principal shall be paid according to the Met Growth column of the schedule
 if any of the following apply:
 - a. The school growth scores show the school or schools met expected
 growth in at least two of the prior three school years.

1 b. The school growth scores show the school or schools met expected
2 growth in at least one of the prior three school years and exceeded
3 expected growth in one of the prior three school years.

4 c. The principal supervised a school in at least two of the prior three
5 school years that was not eligible to receive a school growth score.

6 (3) A principal shall be paid according to the Base column if any of the following
7 apply:

8 a. The school growth scores show the school or schools did not meet
9 expected growth in at least two of the prior three school years.

10 b. The principal has not supervised any school as a principal for a
11 majority of the school year in at least two of the prior three school
12 years.

13 **SECTION 7A.4.(b)** For purposes of determining the average daily membership of a
14 principal's school, the allotted average daily membership for the school for the applicable school
15 year shall be used. For purposes of this section, the allotted average daily membership of a
16 principal's school shall include any prekindergarten students in membership at that school.

17 **SECTION 7A.4.(c)** For purposes of determining the school growth scores for each
18 school the principal supervised in one or more prior school years, the following school growth
19 scores shall be used during the following time periods:

20 (1) For the first six months of the applicable fiscal year, the school growth scores
21 from the first, second, and third years.

22 (2) For the second six months of the applicable fiscal year, the school growth
23 scores from the second, third, and fourth years.

24 (3) If a principal does not have a school growth score from any of the school years
25 identified in this subsection, the most recent available growth scores, up to the
26 fourth year, shall be used.

27 **SECTION 7A.4.(d)** Beginning with the 2017-2018 fiscal year, in lieu of providing
28 annual longevity payments to principals paid on the principal salary schedule, the amounts of
29 those longevity payments are included in the annual amounts under the principal salary schedule.

30 **SECTION 7A.4.(e)** A principal compensated in accordance with this section for the
31 2025-2027 fiscal biennium shall receive an amount equal to the greater of the following:

32 (1) The applicable amount on the principal salary schedule for the applicable
33 fiscal year.

34 (2) For principals who were eligible for longevity in the 2016-2017 fiscal year,
35 the sum of the following:

36 a. The salary the principal received in the 2016-2017 fiscal year pursuant
37 to Section 9.1 or Section 9.2 of S.L. 2016-94.

38 b. The longevity that the principal would have received as provided for
39 State employees under the North Carolina Human Resources Act for
40 the 2016-2017 fiscal year based on the principal's current years of
41 service.

42 (3) For principals who were not eligible for longevity in the 2016-2017 fiscal
43 year, the salary the principal received in the 2016-2017 fiscal year pursuant to
44 Section 9.1 or Section 9.2 of S.L. 2016-94.

45 **SECTION 7A.4.(f)** For purposes of this section, the following definitions apply:

46 (1) First year. – The school year immediately preceding the second year.

47 (2) Fourth year. – The school year immediately preceding the applicable school
48 year.

49 (3) Second year. – The school year immediately preceding the third year.

50 (4) The applicable fiscal year. – The fiscal year of the 2025-2027 fiscal biennium
51 in which the principal is employed.

- 1 (5) The applicable school year. – The school year of the 2025-2027 fiscal
- 2 biennium in which the principal is employed.
- 3 (6) Third year. – The school year immediately preceding the fourth year.
- 4

BONUSES FOR PRINCIPALS

5 **SECTION 7A.5.** Article 19 of Chapter 115C of the General Statutes is amended by
6 adding the following new section to read:

7 **"§ 115C-285.5. Bonuses for principals.**

8 (a) To the extent funds are made available for this purpose, the Department of Public
9 Instruction shall administer a bonus in each fiscal year to any principal who supervised a school
10 as a principal for a majority of the previous school year if that school was in the top fifty percent
11 (50%) of school growth in the State during the previous school year, calculated by the State
12 Board pursuant to G.S. 115C-83.15(c), as follows:

13 **Principal Bonus Schedule**

| <u>Statewide Growth Percentage</u> | <u>Bonus</u> |
|---|---------------------|
| <u>Top 5%</u> | <u>\$15,000</u> |
| <u>Top 10%</u> | <u>\$10,000</u> |
| <u>Top 15%</u> | <u>\$5,000</u> |
| <u>Top 20%</u> | <u>\$2,500</u> |
| <u>Top 50%</u> | <u>\$1,000</u> |

14 A principal shall receive no more than one bonus pursuant to this section. The bonus shall be
15 paid at the highest amount for which the principal qualifies.

16 (b) The bonus awarded pursuant to this section shall be in addition to any regular wage
17 or other bonus the principal receives or is scheduled to receive.

18 (c) Notwithstanding G.S. 135-1(7a), the bonuses awarded pursuant to this section are not
19 compensation under Article 1 of Chapter 135 of the General Statutes, Retirement System for
20 Teachers and State Employees.

21 (d) It is the intent of the General Assembly that funds provided pursuant to this section
22 will supplement principal compensation and not supplant local funds.

23 (e) The bonus provided pursuant to this section shall be paid no later than October 31 of
24 each year to qualifying principals employed as of October 1 of that year."

25 **ASSISTANT PRINCIPAL SALARIES**

26 **SECTION 7A.6.(a)** For each year of the 2025-2027 fiscal biennium, beginning July
27 1, 2025, assistant principals shall receive a monthly salary based on the salary schedule for
28 teachers who are classified as "A" teachers plus nineteen percent (19%). An assistant principal
29 shall be placed on the step on the salary schedule that reflects the total number of years of
30 experience as a certified employee of the public schools. For purposes of this section, an
31 administrator with a one-year provisional assistant principal's certificate shall be considered
32 equivalent to an assistant principal.

33 **SECTION 7A.6.(b)** Assistant principals with certification based on academic
34 preparation at the six-year degree level shall be paid a salary supplement of one hundred
35 twenty-six dollars (\$126.00) per month and at the doctoral degree level shall be paid a salary
36 supplement of two hundred fifty-three dollars (\$253.00) per month.

37 **SECTION 7A.6.(c)** Beginning with the 2017-2018 fiscal year, in lieu of providing
38 annual longevity payments to assistant principals on the assistant principal salary schedule, the
39 amounts of those longevity payments are included in the monthly amounts provided to assistant
40 principals pursuant to subsection (a) of this section.

41 **SECTION 7A.6.(d)** An assistant principal compensated in accordance with this
42 section for the 2025-2027 fiscal biennium shall receive an amount equal to the greater of the
43 following:
44
45
46
47
48
49
50
51

- 1 (1) The applicable amount on the salary schedule for the applicable year.
- 2 (2) For assistant principals who were eligible for longevity in the 2016-2017 fiscal
- 3 year, the sum of the following:
- 4 a. The salary the assistant principal received in the 2016-2017 fiscal year
- 5 pursuant to Section 9.1 or Section 9.2 of S.L. 2016-94.
- 6 b. The longevity that the assistant principal would have received as
- 7 provided for State employees under the North Carolina Human
- 8 Resources Act for the 2016-2017 fiscal year based on the assistant
- 9 principal's current years of service.
- 10 (3) For assistant principals who were not eligible for longevity in the 2016-2017
- 11 fiscal year, the salary the assistant principal received in the 2016-2017 fiscal
- 12 year pursuant to Section 9.1 or Section 9.2 of S.L. 2016-94.
- 13

CENTRAL OFFICE SALARIES

15 **SECTION 7A.7.(a)** For the 2025-2027 fiscal biennium, beginning July 1, 2025, the
 16 annual salary for superintendents, assistant superintendents, associate superintendents,
 17 directors/coordinators, supervisors, and finance officers whose salaries are supported from State
 18 funds shall be increased by one and one-quarter percent (1.25%).

19 **SECTION 7A.7.(b)** The monthly salary maximums that follow apply to assistant
 20 superintendents, associate superintendents, directors/coordinators, supervisors, and finance
 21 officers for the 2025-2027 fiscal biennium, beginning July 1, 2025:

2025-2027 Fiscal Biennium

Maximum

| | |
|-----------------------------|----------|
| 24 School Administrator I | \$7,668 |
| 25 School Administrator II | \$8,124 |
| 26 School Administrator III | \$8,608 |
| 27 School Administrator IV | \$8,944 |
| 28 School Administrator V | \$9,302 |
| 29 School Administrator VI | \$9,853 |
| 30 School Administrator VII | \$10,247 |

31 The local board of education shall determine the appropriate category and placement
 32 for each assistant superintendent, associate superintendent, director/coordinator, supervisor, or
 33 finance officer within the maximums and within funds appropriated by the General Assembly
 34 for central office administrators and superintendents. The category in which an employee is
 35 placed shall be included in the contract of any employee.

36 **SECTION 7A.7.(c)** The monthly salary maximums that follow apply to
 37 superintendents for each year of the 2025-2027 fiscal biennium, beginning July 1, 2025:

2025-2027 Fiscal Biennium

Maximum

| | |
|-----------------------|----------|
| 40 Superintendent I | \$10,861 |
| 41 Superintendent II | \$11,508 |
| 42 Superintendent III | \$12,200 |
| 43 Superintendent IV | \$12,933 |
| 44 Superintendent V | \$13,710 |

45 The local board of education shall determine the appropriate category and placement
 46 for the superintendent based on the average daily membership of the local school administrative
 47 unit and within funds appropriated by the General Assembly for central office administrators and
 48 superintendents.

49 **SECTION 7A.7.(d)** Longevity pay for superintendents, assistant superintendents,
 50 associate superintendents, directors/coordinators, supervisors, and finance officers shall be as
 51 provided for State employees under the North Carolina Human Resources Act.

1 **SECTION 7A.7.(e)** Superintendents, assistant superintendents, associate
2 superintendents, directors/coordinators, supervisors, and finance officers with certification based
3 on academic preparation at the six-year degree level shall receive a salary supplement of one
4 hundred twenty-six dollars (\$126.00) per month in addition to the compensation provided
5 pursuant to this section. Superintendents, assistant superintendents, associate superintendents,
6 directors/coordinators, supervisors, and finance officers with certification based on academic
7 preparation at the doctoral degree level shall receive a salary supplement of two hundred
8 fifty-three dollars (\$253.00) per month in addition to the compensation provided for under this
9 section.

10 **SECTION 7A.7.(f)** The State Board of Education shall not permit local school
11 administrative units to transfer State funds from other funding categories for salaries for public
12 school central office administrators.

13 **NONCERTIFIED PERSONNEL SALARIES**

14 **SECTION 7A.8.** For the 2025-2027 fiscal biennium, beginning July 1, 2025, the
15 annual salary for noncertified public school employees whose salaries are supported from State
16 funds shall be increased as follows:

- 17
- 18 (1) For permanent, full-time employees on a 12-month contract, by one and
19 one-quarter percent (1.25%).
 - 20 (2) For the following employees, by an equitable amount based on the amount
21 specified in subdivision (1) of this section:
 - 22 a. Permanent, full-time employees on a contract for fewer than 12
23 months.
 - 24 b. Permanent, part-time employees.
 - 25 c. Temporary and permanent hourly employees.
- 26

27 **PART VIII. THE UNIVERSITY OF NORTH CAROLINA SYSTEM**

28 **UNC/ESCHEAT FUND FOR STUDENT FINANCIAL AID PROGRAMS**

29 **SECTION 8.1.(a)** G.S. 116B-7 reads as rewritten:

30 **"§ 116B-7. Distribution of fund.**

31 (a) ~~The~~ Unless otherwise provided in the Current Operations Appropriations Act, as
32 defined in G.S. 143C-1-1, the income derived from the investment or deposit of the Escheat Fund
33 shall be distributed annually on or before August 15 to the State Education Assistance Authority
34 for grants and loans to aid worthy and needy students who are (i) residents of this State and are
35 (ii) enrolled in public institutions of higher education in this State. Such grants and loans shall be
36 made upon terms, consistent with the provisions of the Current Operations Appropriations Act
37 and this Chapter, pursuant to which the State Education Assistance Authority makes grants and
38 loans to other students under G.S. 116-201 to 116-209.23, Article 23 of Chapter 116 of the
39 General Statutes, policies of the Board of Governors of The University of North Carolina
40 regarding need-based grants for students of The University of North Carolina, and policies of the
41 State Board of Community Colleges regarding need-based grants for students of the community
42 colleges. The Authority shall deposit an amount specified in the Current Operations
43 Appropriations Act from the Escheat Fund into the Scholarship Reserve Fund for Public Colleges
44 and Universities pursuant to G.S. 116-209.85 each fiscal year to fund the North Carolina
45 Need-Based Scholarship for Public Colleges and Universities pursuant to Part 5 of Article 23 of
46 Chapter 116 of the General Statutes.

47 (a1) Notwithstanding any other provision of this Chapter, if the income derived from the
48 investment or deposit of the Escheat Fund is less than the amounts referenced in the Current
49 Operations Appropriations Act, the difference may be taken from the Escheat Fund principal to
50

1 reach the appropriations referenced in that act. However, under no circumstances shall the
2 Escheat Fund principal be reduced below the sum required in G.S. 116B-6(f).

3 (a2) Except as otherwise provided by law, if any funds appropriated from the Escheat Fund
4 by the Current Operations Appropriations Act for student financial aid remain uncommitted at
5 the end of a fiscal year, the funds shall be returned to the Escheat Fund.

6 (b) An amount specified in the Current Operations Appropriations Act shall be
7 transferred annually from the Escheat Fund to the Board of Governors of The University of North
8 Carolina to be allocated to the State Education Assistance Authority to partially fund the program
9 of Scholarships for Children of War Veterans established by Part 2 of Article 14 of Chapter 143B
10 of the General Statutes. Those funds may be used only for residents of this State who (i) are
11 worthy and needy as determined by the Department of Military and Veterans Affairs and (ii) are
12 enrolled in public institutions of higher education of this State."

13 **SECTION 8.1.(b)** G.S. 116-209.18 reads as rewritten:

14 "**§ 116-209.18. Powers of Authority to administer student assistance program.**

15 In order to accomplish the purposes of this Article the Authority is ~~authorized;~~authorized to
16 do all of the following:

- 17 (1) ~~To receive~~Receive from the general fund or other sources such sums as the
18 General Assembly may authorize from time to time for such purposes, and to
19 receive from any other donor, public or private, such sums as may be made
20 available, and to cause such sums to be disbursed for the purposes for which
21 they have been ~~provided;~~provided.
- 22 (2) ~~To establish~~Establish such criteria as the Authority shall deem necessary or
23 desirable for determining the need of students for grants under this Article, as
24 opposed to other forms of financial assistance, and for deciding who shall
25 receive ~~grants;~~grants.
- 26 (3) ~~To prescribe~~Prescribe the form and to regulate the submission of applications
27 for assistance and to prescribe the procedures for considering and approving
28 such ~~applications;~~applications.
- 29 (4) ~~To provide~~Provide for the making of, and to make, grants under this Article
30 under such terms and conditions as the Authority shall deem
31 ~~advisable;~~advisable.
- 32 (5) ~~To encourage~~Encourage educational institutions to increase the resources
33 available for financial assistance; to prescribe such formulas for institutional
34 maintenance of effort as the Authority may determine to be consistent with
35 the purposes of this ~~Article;~~Article.
- 36 (6) ~~To provide~~Provide by contract for the administration of all or any portion of
37 the student assistance program by nonprofit organizations or corporations,
38 pursuant to regulations and criteria established by the ~~Authority;~~Authority.
- 39 (7) ~~To serve,~~Serve, on designation by the Governor, or as may otherwise be
40 provided by federal law, as the State agency to administer such statewide
41 programs of student assistance as shall be established from time to time under
42 ~~federal law;~~ and law.
- 43 (7a) Except for grants or loans for student financial aid programs where a specific
44 evaluation is already required in law, conduct periodic evaluations of
45 expenditures for student financial aid programs administered by the Authority
46 to determine if allocations are utilized to ensure access to institutions of higher
47 education and to meet the goals of the respective programs. The Authority
48 may make recommendations for redistribution of funds for those programs to
49 the President of The University of North Carolina and the President of the
50 Community College System regarding their respective student financial aid

1 programs, who then may authorize redistribution of unutilized funds for a
 2 particular fiscal year.

- 3 (8) ~~To have~~ Have all other powers and authority necessary to carry out the
 4 purposes of the student assistance program, including, without limitation, all
 5 the powers given to the Authority by G.S. 116-204 and by other provisions of
 6 the General Statutes."
 7

8 **ESTABLISH SCHOOL OF CIVIC LIFE AND LEADERSHIP**

9 **SECTION 8.2.(a)** Chapter 116 of the General Statutes is amended by adding a new
 10 Article to read:

11 "Article 31B.

12 "The School of Civic Life and Leadership.

13 **"§ 116-258.1. The School of Civic Life and Leadership established.**

14 (a) For purposes of this Article, the term "the School" refers to the School of Civic Life
 15 and Leadership established pursuant to subsection (b) of this section.

16 (b) The Board of Trustees of the University of North Carolina at Chapel Hill, in
 17 consultation with the Board of Governors of The University of North Carolina, the Provost of
 18 the University of North Carolina at Chapel Hill, and faculty and administration officials at the
 19 University of North Carolina at Chapel Hill, shall establish the School of Civic Life and
 20 Leadership as a separate reporting unit of the University of North Carolina at Chapel Hill.

21 **"§ 116-258.2. Scope.**

22 The School shall do at least the following:

- 23 (1) Provide course opportunities for students. Courses may focus on the
 24 development of democratic competencies informed by American history, the
 25 American political tradition, and the study of the great texts and traditions of
 26 Western civilization that form the foundation of the American republic. The
 27 purpose of these courses is to foster public discourse and civil engagement
 28 necessary to promote democracy and benefit society.
 29 (2) Develop programming to address the topics identified in subdivision (1) of
 30 this section and provide resources to students, faculty, and the general public,
 31 as needed.

32 **"§ 116-258.3. Faculty.**

33 (a) The Dean of the School shall be appointed by the Chancellor of the University of
 34 North Carolina at Chapel Hill, with the consent of the Board of Trustees of the University of
 35 North Carolina at Chapel Hill. Neither the Chancellor nor the Board of Trustees shall delegate
 36 this responsibility to another party.

37 (b) All faculty hired by or appointed to the School shall be subject to the approval of the
 38 Dean of the School.

39 (c) Faculty members may hold joint or courtesy appointments with other reporting units
 40 of the University of North Carolina at Chapel Hill. All joint and courtesy appointments shall be
 41 made at the discretion of the Dean of the School."

42 **SECTION 8.2.(b)** For the 2025-2026 academic year, the following shall occur:

- 43 (1) The School of Civic Life and Leadership (the School) shall employ at least 20
 44 faculty members hired from outside the University of North Carolina at
 45 Chapel Hill. These faculty members shall be hired with permanent tenure or
 46 be eligible to receive permanent tenure in accordance with policies adopted
 47 by The Board of Governors of The University of North Carolina and the
 48 University of North Carolina at Chapel Hill.
 49 (2) The School shall not employ any additional faculty by joint or courtesy
 50 appointment with other reporting units of the University of North Carolina at
 51 Chapel Hill unless the school has employed at least 20 faculty members hired

1 from outside the University of North Carolina at Chapel Hill in accordance
2 with this subsection.

3 **SECTION 8.2.(c)** Notwithstanding G.S. 116-30.2, the recurring funds allocated to
4 the School of Civic Life and Leadership (the School) by this section beginning in the 2025-2026
5 fiscal year shall be used only to support the School and shall not be redirected for any other
6 purpose. In addition, these funds shall be used to supplement and not supplant any funds the
7 School would otherwise receive, including funds received by the School based on enrollment.

8 **SECTION 8.2.(d)** No later than November 15, 2026, the Board of Trustees of the
9 University of North Carolina at Chapel Hill shall report to the Joint Legislative Education
10 Oversight Committee and the Fiscal Research Division on the progress made toward establishing
11 the School of Civic Life and Leadership (the School), including at least the following
12 information:

- 13 (1) Courses and other programming provided by the School.
- 14 (2) Faculty hired by the School, including the number of faculty members hired
15 from outside the University of North Carolina at Chapel Hill.
- 16 (3) Uses of funds appropriated to the School pursuant to this section.
- 17 (4) Any other matter the Board deems relevant to the progress of establishing the
18 School.

19

20 **FUNDING REDUCTION FOR CERTAIN CENTERS AND INSTITUTES**

21 **SECTION 8.3.(a)** For each year of the 2025-2027 fiscal biennium, in order to
22 maximize the receipt of federal funds and improve the quality of research provided in this State,
23 the Board of Governors of The University of North Carolina shall reduce by at least thirty-three
24 million six hundred sixty thousand dollars (\$33,660,000) the total recurring funds allocated to
25 the constituent institutions of The University of North Carolina for centers or institutes at those
26 institutions that are identified by the Board of Governors as low-performing, redundant, failing
27 to maximize the receipt of federal grant funds, or are otherwise in conflict with federal law, State
28 law, the policies of the Board of Governors, or the vision and purpose of The University of North
29 Carolina. These reductions shall not be allocated by the Board of Governors in an
30 across-the-board method but shall be done in a manner that recognizes the importance of the
31 academic missions and differences among the identified constituent institutions. As a part of this
32 process, the Board of Governors shall require the constituent institutions of The University of
33 North Carolina to evaluate the centers and institutes at those institutions and provide
34 recommendations to the Board of Governors on reductions that would be appropriate under this
35 section.

36 **SECTION 8.3.(b)** No later than April 1 of each year of the 2025-2027 fiscal
37 biennium, the Board of Governors of The University of North Carolina shall report on the
38 implementation of the reductions required in this section for that fiscal year to the Joint
39 Legislative Education Oversight Committee and the Fiscal Research Division.

40

41 **REPEAL FUTURE TEACHERS OF NORTH CAROLINA PROGRAM**

42 **SECTION 8.4.** Part 4B of Article 1 of Chapter 116 of the General Statutes is
43 repealed.

44

45 **ACADEMIC PROGRAM REVIEW**

46 **SECTION 8.5.(a)** For purposes of this section, the term "identified constituent
47 institution" refers to every constituent institution of The University of North Carolina except the
48 following:

- 49 (1) The North Carolina School of Science and Mathematics.
- 50 (2) The University of North Carolina at Asheville.
- 51 (3) The University of North Carolina at Greensboro.

1 **SECTION 8.5.(b)** No later than June 30, 2026, in order to reduce the recurring funds
 2 appropriated to the Board of Governors of The University of North Carolina in the 2026-2027
 3 fiscal year and allocated to identified constituent institutions by the sum of at least twenty million
 4 dollars (\$20,000,000) in accordance with this section, each identified constituent institution, in
 5 collaboration with The University of North Carolina System Office, shall review and reduce or
 6 eliminate academic programs or other curriculum at that institution that are low-performing,
 7 redundant, have insufficient enrollment, produce an insufficient return on investment, or are
 8 otherwise in conflict with the policies of the Board of Governors or the vision and purpose of
 9 The University of North Carolina.

10 **SECTION 8.5.(c)** The University of North Carolina System Office shall report on
 11 the implementation of the reductions required in this section for the 2026-2027 fiscal year to the
 12 Joint Legislative Education Oversight Committee and the Fiscal Research Division no later than
 13 April 1, 2027.

14
 15 **ESTABLISH STANDARDS FOR AGREEMENTS BETWEEN CONSTITUENT**
 16 **INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA AND LOCAL**
 17 **SCHOOL ADMINISTRATIVE UNITS FOR THE OPERATION AND**
 18 **MAINTENANCE OF LABORATORY SCHOOLS**

19 **SECTION 8.6.** G.S. 116-239.8(b) reads as rewritten:

20 "(b) The chancellor shall be the administrative head of a laboratory school approved by
 21 the Subcommittee and shall provide general direction for the establishment and operation of a
 22 laboratory school. The chancellor, with advice and input from the advisory board established in
 23 subdivision (1) of this subsection, shall adopt policies, operating procedures, and the courses of
 24 study to govern the operation of the laboratory school. The chancellor may designate the duties
 25 required by this Article to other personnel as necessary. The chancellor shall also have the
 26 following powers and duties:

27 ...

28 (4) ~~Operation and maintenance of laboratory schools. Cost standards for~~
 29 ~~laboratory schools. – The Board of Governors and the State Board of~~
 30 ~~Education shall jointly determine standards for establishing the costs to local~~
 31 ~~school administrative units for providing the facilities and services identified~~
 32 ~~in this subdivision-subdivision (4b) of this subsection for the operation and~~
 33 ~~maintenance of a laboratory school. The standards shall include at least the~~
 34 ~~lease amount by square foot for facility leases, which shall incorporate the~~
 35 ~~cost of the outstanding debt service for the facility.~~

36 (4a) Memorandum of understanding. – The chancellor and the local school
 37 administrative unit shall adopt a memorandum of understanding for the
 38 operation and maintenance of the laboratory school that includes the facilities
 39 and services identified in subdivision (4b) of this subsection. The chancellor
 40 and the local school administrative unit shall review and update the
 41 memorandum at least every three years and any updated memorandum shall
 42 take effect no earlier than the next school year. For any proposal to amend a
 43 term of the memorandum regarding facilities, services, or operations of the
 44 laboratory school, the proposing party shall provide at least six months' notice,
 45 and the amendment shall take effect no earlier than the next school year.

46 (4b) Facilities and services. – A local school administrative unit shall provide, at
 47 the laboratory school's request, any of the following facilities and services to
 48 the laboratory school, but the costs of those facilities and services charged to
 49 the laboratory school shall not exceed the established standards for
 50 determination of costs. The following shall be determined in a memorandum
 51 of understanding between the chancellor and the local school administrative

- 1 unit for the operation and maintenance of the laboratory school as
2 needed:school:
- 3 a. Facilities and leases. – Upon request, the local school administrative
4 unit in which the laboratory school is located shall lease adequate
5 facilities to the constituent institution for use as a laboratory school.
6 Unless the laboratory school requests not to include any of the
7 following, the lease shall include use of or access to any existing
8 buildings, parking areas, playgrounds, driveways required for ingress
9 and egress, furniture, classroom space, a cafeteria or multipurpose
10 room, moveable equipment, appliances, playground materials,
11 including a library collection, instructional materials, and classroom
12 and other technology equipment necessary to operate the laboratory
13 school. The lease term shall be terminated if the laboratory school
14 ceases operation. Upon request, the local school administrative unit
15 shall maintain the facilities and premises of the laboratory school and
16 keep them in good repair and tenantable condition by providing all
17 routine custodial services and routine facilities maintenance services,
18 including routine indoor maintenance, routine mowing, trimming, and
19 maintenance of exterior landscaping and snow removal, and timely
20 repair of the facilities and premises. The chancellor is authorized to
21 execute the lease agreement and memoranda of agreement for the
22 operation of a laboratory school.
- 23 b. Transportation services. – Upon request, the local school
24 administrative unit in which the laboratory school is located shall
25 provide transportation to students who reside in the local school
26 administrative unit and attend the laboratory school, including any
27 students who are homeless and require assistance pursuant to 42
28 U.S.C. § 11301, et seq., the McKinney-Vento Homeless Assistance
29 Act. The requirement to provide transportation to students residing in
30 the local school administrative unit shall (i) apply regardless of where
31 a laboratory school student resides in the unit or how the unit's
32 transportation policies and practices are applied to other students and
33 (ii) upon request, include providing transportation of students and
34 personnel for laboratory school extracurricular activities and
35 educational trips in the same manner as other schools in the unit for
36 that school year.
- 37 c. Food services. – ~~The laboratory school shall strive to ensure that one~~
38 ~~hundred percent (100%) muscadine grape juice is made available to~~
39 ~~students as a part of the school's nutrition program or through the~~
40 ~~operation of the school's vending facilities. Upon request, Food~~
41 ~~services shall be provided to students of the laboratory school as~~
42 ~~follows:~~
- 43 1. Unless the laboratory school agrees in the memorandum of
44 understanding to administer the National School Lunch
45 Program as the school food authority for its own students, the
46 local school administrative unit in which the laboratory school
47 is located shall administer the National School Lunch Program
48 as the school food authority for the laboratory school in
49 accordance with G.S. 115C-264. As part of that process, the
50 local school administrative unit shall do at least the following:

- 1 I. Purchase, prepare, deliver, and serve food and drink for
- 2 students in the laboratory school.
- 3 II. Engage in any contracts or other actions necessary to
- 4 provide these services, including procuring federal
- 5 reimbursement funds.
- 6 2. The laboratory school shall strive to ensure that one hundred
- 7 percent (100%) muscadine grape juice is made available to
- 8 students as part of the school's nutrition program or through the
- 9 operation of the school's vending facilities.
- 10 d. Student support services. – Upon request, the local school
- 11 administrative unit in which the laboratory school is located shall
- 12 provide any of the following student support services for the operation
- 13 of the laboratory school, including:
- 14 1. Services required by the Department of Public Instruction for
- 15 children with disabilities.
- 16 2. Children and family support services, including social worker
- 17 and school nurse services.
- 18 3. Other health services, including dental screenings, vision
- 19 screenings, and similar health services that apply to other
- 20 students enrolled in the local school administrative unit.
- 21 4. Parent involvement coordinator services.
- 22 5. School counselor services.
- 23 (4c) Costs of services; reimbursement. – The local school administrative unit may
- 24 charge the costs of the facilities and services provided pursuant to subdivision
- 25 (4b) of this subsection to the laboratory school. These charges shall not exceed
- 26 the standards for determination of costs established pursuant to subdivision
- 27 (4) of this subsection. If a local school administrative unit fails to provide any
- 28 of the services listed in subdivision (4b) of this subsection, the laboratory
- 29 school may provide those services without the support of the local school
- 30 administrative unit. In the event a laboratory school provides its own services
- 31 pursuant to this subdivision, the laboratory school may charge the local school
- 32 administrative unit for the actual costs of those services, even if those services
- 33 exceed the standards for determination of costs established pursuant to
- 34 subdivision (4) of this subsection, and the local school administrative unit
- 35 shall reimburse the laboratory school for those services from non-State funds.
- 36"
- 37

REPEAL MENTORING AND COACHING SUPPORT FUNDS FOR TEACHING FELLOWS AND THE NORTH CAROLINA EDUCATION ENDOWMENT FUND

SECTION 8.7.(a) G.S. 116-209.62 reads as rewritten:

"§ 116-209.62. North Carolina Teaching Fellows Program established; administration.

...
 (c) Uses of Monies in the Trust Fund. – The monies in the Trust Fund may be used only for (i) forgivable loans granted under the Program, (ii) administrative costs associated with the Program, including recruitment and recovery of funds advanced under the Program, ~~(iii) mentoring and coaching support to forgivable loan recipients, and (iv) and (iii)~~ extracurricular enhancement activities of the Program in accordance with the following:

- (1) The Authority shall transfer the greater of six hundred thousand dollars (\$600,000) or ten percent (10%) of the available funds from the Trust Fund to The University of North Carolina System Office at the beginning of each fiscal year for the Program's administrative costs, the salary of the Director of

1 the Program and other Program staff, expenses of the Commission, and to
 2 provide the Commission with funds to use for the extracurricular enhancement
 3 activities of the Program.

4 (2) The Authority may use the greater of two hundred fifty thousand dollars
 5 (\$250,000) or four percent (4%) of the funds appropriated to the Trust Fund
 6 each fiscal year for administrative costs associated with the Program.

7 (3) ~~The Authority shall provide the Commission with up to six hundred thousand
 8 dollars (\$600,000) from the Trust Fund in each fiscal year for the Commission
 9 to provide mentoring and coaching support to forgivable loan recipients
 10 through the North Carolina New Teacher Support Program in an amount of
 11 up to two thousand two hundred dollars (\$2,200) for each Program recipient.
 12 Funds shall be prioritized for teachers serving in North Carolina public
 13 schools identified as low performing under G.S. 115C-105.37.~~

14 ...

15 (j) Annual Report. – The Commission, in coordination with the Authority, the
 16 Department of Public Instruction, and the selected educator education programs participating in
 17 the Program shall report no later than January 1, 2019, and annually thereafter, to the Joint
 18 Legislative Education Oversight Committee regarding the following:

19 ...

20 (2a) ~~Mentoring and coaching support through the North Carolina New Teacher
 21 Support Program, including the following:~~

22 a. ~~Number of forgivable loan recipients who received mentoring and
 23 coaching support when employed at a low performing school
 24 identified under G.S. 115C-105.37.~~

25 b. ~~Number of forgivable loan recipients who received mentoring and
 26 coaching support when employed at a school not identified as
 27 low performing under G.S. 115C-105.37.~~

28 (3) Selected school outcomes by program, including the following:

29 a. ~~Turnover rate for forgivable loan graduates, including the turnover rate
 30 for graduates who also received mentoring and coaching support
 31 through the North Carolina New Teacher Support Program graduates.~~

32 b. Aggregate information on student growth and proficiency as provided
 33 annually by the State Board of Education to the Commission in courses
 34 taught by forgivable loan graduates.

35 c. Fulfillment rate of forgivable loan graduates."

36 **SECTION 8.7.(b)** Article 32E of Chapter 115C of the General Statutes is repealed.
 37

38 **UNC PLAN TO INCORPORATE POSITION INFORMATION INTO BEACON/HR** 39 **PAYROLL SYSTEM**

40 **SECTION 8.8.** The Board of Governors of The University of North Carolina, in
 41 collaboration with the Office of State Controller and the State Chief Information Officer, shall
 42 develop a plan that incorporates all position and salary information for employees of constituent
 43 institutions of The University of North Carolina, The University of North Carolina System
 44 Office, the State Education Assistance Authority, and any other entity under the purview of the
 45 Board of Governors of The University of North Carolina into the Building Enterprise Access for
 46 North Carolina's Core Operation Needs (BEACON) human resources payroll system. The Board
 47 of Governors shall report the plan to the Joint Legislative Education Oversight Committee and
 48 the Fiscal Research Division no later than April 15, 2026.

50 **LIMIT ADVANCED PLACEMENT TEST FEE EXEMPTION TO STUDENTS** 51 **ENROLLED IN THE NORTH CAROLINA SCHOOL OF SCIENCE AND**

1 **MATHEMATICS AND THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF**
2 **THE ARTS WITH THE GREATEST NEED**

3 **SECTION 8.9.** G.S. 116-43.30 reads as rewritten:

4 "**§ 116-43.30. Advanced Placement courses for secondary school students.**

5 (a) It is the intent of the State to enhance accessibility and encourage secondary school
6 students to enroll in and successfully complete more rigorous Advanced Placement courses to
7 enable success in postsecondary education for all students. To attain this goal, to the extent funds
8 are made available for this purpose, secondary school students with the greatest financial need
9 who are enrolled in the North Carolina School of Science and Mathematics and the high school
10 academic program at the University of North Carolina School of the Arts shall be exempt from
11 paying any fees for registration and administration of examinations for Advanced Placement
12 courses in which the student is enrolled, regardless of the score the student achieves on an
13 examination.

14 (b) The University of North Carolina System Office shall report annually by December
15 15 to the Senate Appropriations Committee on Education/Higher Education, the House
16 Appropriations Committee on Education, the Fiscal Research Division, and the Joint Legislative
17 Education Oversight Committee on Advanced Placement course information for the North
18 Carolina School of Science and Mathematics and the high school academic program at the
19 University of North Carolina School of the Arts. The report shall include, at a minimum, the
20 following information from the prior fiscal year:

- 21 (1) Number of students enrolled in Advanced Placement courses and participating
22 in Advanced Placement course examinations, including demographic
23 information by gender and race.
24 (2) Student performance on Advanced Placement course examinations, including
25 information by course and school.
26 (3) Amount of State funds expended for fees for Advanced Placement courses by
27 school."
28

29 **PERMIT CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH**
30 **CAROLINA TO PROVIDE DISCOUNTED TUITION TO PERSONS RECEIVING**
31 **MILITARY TUITION ASSISTANCE OR PERSONS ENROLLED IN AN**
32 **EMPLOYER-SPONSORED FINANCIAL SUPPORT PROGRAM**

33 **SECTION 8.10.(a)** G.S. 116-143 reads as rewritten:

34 "**§ 116-143. State-supported institutions of higher education required to charge tuition and**
35 **fees.**

36 ...

37 (c) Inasmuch as the giving of tuition and fee waivers, or especially reduced rates,
38 represent in effect a variety of scholarship awards, the said practice is hereby prohibited except
39 when expressly authorized by statute.

40 ~~(d) Notwithstanding the above provision relating to the abolition of free tuition, the Board~~
41 ~~of Governors of The University of North Carolina may, in its discretion, provide regulations~~
42 ~~under which personnel may during the period of normal employment enroll in The University of~~
43 ~~North Carolina free of charge for tuition and fees, provided such enrollment does not interfere~~
44 ~~with normal employment obligations and further provided that such enrollments are not counted~~
45 ~~for the purpose of receiving General Fund appropriations as follows:~~

- 46 ~~(1) Except as provided in subdivision (2) of this subsection, a full-time faculty~~
47 ~~member of the rank of full-time instructor or above and any full-time staff~~
48 ~~member of The University of North Carolina may enroll in not more than three~~
49 ~~courses per year.~~
50 ~~(2) A full-time or part-time campus law enforcement officer may enroll in the~~
51 ~~number of courses per year determined by regulation.~~

1 (d1) Notwithstanding subsection (c) of this section, the Board of Governors of The
2 University of North Carolina may do any of the following:

3 (1) Personnel. – Provide regulations under which personnel may enroll in The
4 University of North Carolina free of charge for tuition and fees during the
5 period of normal employment if the (i) enrollment does not interfere with
6 normal employment obligations and (ii) enrollments are not counted for the
7 purpose of receiving General Fund appropriations. Personnel may enroll free
8 of charge for tuition and fees as follows:

9 a. A full-time faculty member of the rank of full-time instructor or above
10 of The University of North Carolina may enroll in not more than three
11 courses per year.

12 b. A full-time staff member of The University of North Carolina may
13 enroll in more than three courses per year.

14 c. A full-time or part-time campus law enforcement officer may enroll in
15 the number of courses per year determined by regulation.

16 (2) Military students. – Allow constituent institutions, in their discretion, to
17 discount tuition to qualifying military students by an amount of up to the
18 difference in the maximum amount of military tuition assistance funds the
19 student receives and the applicable tuition. For purposes of this subdivision, a
20 qualifying military student is a student who meets the following criteria:

21 a. Is a resident for tuition purposes under G.S. 116-143.1.

22 b. Receives either (i) federal military tuition assistance funds or (ii)
23 military tuition assistance funds for members of the North Carolina
24 National Guard under Article 15 of Chapter 127A of the General
25 Statutes.

26 (3) Employer sponsorships. – Allow constituent institutions, in their discretion,
27 to discount tuition to students who are enrolled in an employer-sponsored
28 financial support program which has been approved by the Board of
29 Governors of The University of North Carolina. The discount may be up to
30 the difference in the maximum amount provided by the employer and the
31 applicable tuition. For purposes of this subdivision, an employer-sponsored
32 financial support program is a program in which the employer of a student has
33 committed to provide financial support to the student to offset the costs of
34 tuition or fees in the student's degree or credential program.

35 (d2) No later than February 15 of each year, the Board of Governors of The University of
36 North Carolina shall report to the Joint Legislative Education Oversight Committee and the Fiscal
37 Research Division on the discounted tuition provided in the previous academic year pursuant to
38 subdivisions (2) and (3) of subsection (d1) of this section, including at least the following
39 information:

40 (1) The number of students that receive a discount under subdivisions (2) and (3)
41 of subsection (d1) of this section.

42 (2) The annual financial impact on each constituent institution resulting from the
43 discounted tuition provided.

44 "

45 **SECTION 8.10.(b)** This section is effective when it becomes law and applies
46 beginning with the 2025-2026 academic year.

47
48 **ADD WINSTON-SALEM STATE UNIVERSITY TO CHEATHAM-WHITE**
49 **SCHOLARSHIP**

50 **SECTION 8.11.(a)** Article 35 of Chapter 116 of the General Statutes reads as
51 rewritten:

"Article 35.

"Cheatham-White Scholarships.

"§ 116-290. Cheatham-White Scholarships; establishment and purpose; benefits.

(a) Scholarships Established; Purpose. – The Cheatham-White Scholarships are established as a merit scholarship program at North Carolina Agricultural and Technical State ~~University~~University, Winston-Salem State University, and at North Carolina Central University. The purpose of the scholarships is to provide an outstanding educational experience for students who are exceptional scholars, versatile and well-rounded individuals with a broad range of interests, and who are accomplished and proficient in areas of both the arts and the sciences. They must also demonstrate leadership potential and a strong commitment to service.

...

(c) Number of Scholarships Awarded. – Up to ~~50~~150 scholarships, ~~40~~including at least 120 for resident students and ~~40~~no more than 30 for nonresident students, may be awarded each academic year to students admitted to North Carolina Agricultural and Technical State University. Up to 50 scholarships, including at least 40 for resident students and no more than 10 for nonresident students, may be awarded each academic year to students admitted to Winston-Salem State University. Up to ~~50~~100 scholarships, ~~40~~including at least 80 for resident students and ~~40~~no more than 20 for nonresident students, may be awarded each academic year to students admitted to North Carolina Central University.

"§ 116-292. Cheatham-White Scholarships; eligibility and selection criteria.

(a) Eligibility. – To be eligible to be nominated as a potential candidate for a Cheatham-White Scholarship, a person must satisfy all of the following criteria:

- (1) Be a competitive applicant for admission as a freshman in the fall semester into a baccalaureate program at ~~either~~North Carolina Agricultural and Technical State University~~University, Winston-Salem State University,~~ or North Carolina Central University.
- (2) Be a United States citizen or permanent resident.
- (3) Be on course to graduate from high school in the spring semester prior to college admission.

(b) Selection Criteria. – Candidates for Cheatham-White Scholarships shall be selected on the basis of academic merit, honorable character, outstanding leadership potential, and a demonstrable commitment to service. Financial need shall not be a consideration.

"§ 116-294. Cheatham-White Scholarships; administration of scholarships.

The University of North Carolina System Office shall administer the Cheatham-White Scholarships, in consultation and collaboration with North Carolina Agricultural and Technical State ~~University~~University, Winston-Salem State University, and North Carolina Central University, pursuant to policies adopted by the Board of Trustees of ~~both constituent institutions.~~each constituent institution. As part of its administrative responsibilities, The University of North Carolina System Office, in consultation and collaboration with North Carolina Agricultural and Technical State ~~University~~University, Winston-Salem State University, and North Carolina Central University, shall do all of the following:

...."

SECTION 8.11.(b) This section is effective when it becomes law and applies beginning with the award of scholarship funds in the 2026-2027 academic year so that students may be nominated for receipt of the scholarship at Winston-Salem State University during the 2025-2026 academic year.

REVISE POWERS AND DUTIES OF THE NORTH CAROLINA COLLABORATORY

SECTION 8.12.(a) G.S. 116-255 reads as rewritten:

1 "§ 116-255. The North Carolina Collaboratory established.

2 ...
3 (b) Duties and Powers. – The Collaboratory shall do at least the following within the
4 funds available:

5 ...
6 (3) Support research ~~programs~~ and development programs, research
7 administration capacity building, and intra- and inter-campus collaborations
8 at institutions of higher education, particularly institutions identified as
9 historically minority-serving institutions, within the Collaboratory's areas of
10 focus and expertise.

11 (4) Identify, pursue, and support research and development opportunities through
12 technology research and development, including, but not limited to, funding
13 opportunities and partnerships between institutions of higher education,
14 government agencies, nonprofit organizations, and both private and public
15 businesses. As part of this process, the Collaboratory may (i) identify,
16 develop, execute, and support academic partnerships with State agencies
17 whenever feasible and (ii) offer applicable resources.

18 ...
19 (6) ~~Maintain an online reporting portal, in partnership with~~ Assist the Office of
20 State Fire ~~Marshal, Marshal~~ in the maintenance of the online reporting portal
21 on the storage and deployment of Aqueous Film-Forming Foams (AFFF) as
22 required by G.S. 58-82B-10.

23 (7) ~~Teach and train students and faculty~~ students, staff, faculty, and postdoctoral
24 researchers to engage in and administer neutral and unbiased research and
25 advice on science policy through (i) informal workshops and similar events
26 and (ii) formal development and delivery of ~~curriculum~~ curriculum or other
27 information.

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

30 ...
31 (2) Funds appropriated by the General Assembly and used by the Collaboratory
32 may not be used for indirect overhead costs at (i) an institution or (ii) an entity
33 partnering with and funded by the Collaboratory.

34 (3) For research or investigations that need to be carried out expeditiously in
35 response to a project, opportunity, or a legislative mandate, the provisions of
36 Articles 3, 3A, 3B, 3C, 3D, and 8C of Chapter 143 of the General Statutes,
37 G.S. 143-129, and G.S. 116-31.10 shall not apply to the Collaboratory for the
38 purchase of apparatus, supplies, material, services, capital improvements, or
39 equipment in projects addressing ~~an emerging or immediate threat to~~ either (i)
40 a perceived, potential, or real concern regarding public health, safety, or
41 welfare. ~~welfare~~ or (ii) a time-sensitive opportunity that has the potential to
42 benefit the State. This subdivision shall apply only when at least fifty percent
43 (50%) of the total funding for a project was provided by the Collaboratory.
44 For each project that utilizes this exemption, the Collaboratory shall provide
45 a justification in writing and make this document available on its website for
46 the duration of the project.

47 (4) All units of State and local government shall cooperate and assist the
48 Collaboratory with its research program by providing ~~reasonable~~ access to at
49 least the following:

- 50 a. Infrastructure.
51 b. Personnel.

c. Data.

- ...
- (7) The Collaboratory may negotiate or impose data use, data management, data use and data management terms and conditions for projects funded by the Collaboratory and revenue sharing requirements for intellectual property developed through its research awards using State funds, including, but not limited to, contractual terms that provide for gross revenue distribution to the General Fund and the Collaboratory for future research and development projects.
 - (8) ~~Funds~~ To the extent permitted under federal law, funds appropriated by the General Assembly from any source of funds to the Collaboratory (i) shall not revert to the General Fund but shall remain available until expended and (ii) shall not apply to the carryforward limitation imposed on constituent institutions of The University of North Carolina by G.S. 116-30.3.
 - (9) A nonprofit corporation may provide funds directly to the Collaboratory, including grant funds, if the funds are provided (i) as a donation or (ii) for research projects to be conducted at one or more constituent institutions of The University of North Carolina in which the Collaboratory provides those funds to support research at the constituent institution. If the nonprofit corporation provides the funds as a grant to the Collaboratory, the Collaboratory may manage the grant and determine the terms and conditions of the grant and related subawards associated with the grant, including rates, if any, of indirect overhead related to those funds.
 - (10) If a project or study of the Collaboratory includes records associated with any of the following, then all records associated with that project or study are not public records, as that term is defined in G.S. 132-1:
 - a. Specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure, as described in G.S. 132-1.7(a)(5).
 - b. Vulnerability and risk assessments, as described in G.S. 132-1.7(b).
 - c. Information relating to the construction, renovation, or repair of public buildings and infrastructure facilities, as described in G.S. 132-1.7(c).
 - (11) In extraordinary circumstances and only after consultation with the chair or chairs of the Joint Legislative Commission on Governmental Operations, the Collaboratory may repurpose funds appropriated to the Collaboratory for research to be used instead for apparatuses, supplies, materials, services, capital improvements, equipment, or personnel that support projects of the Collaboratory involving (i) a perceived, potential, or real concern regarding public health, safety, or welfare or (ii) a time-sensitive opportunity that has the potential to benefit the State. If the Collaboratory repurposes any funds pursuant to this subdivision, the Collaboratory shall provide a justification in writing to the chair or chairs of the Joint Legislative Commission on Governmental Operations and publish that document on its website for at least the duration of the project in which the funds are used."

SECTION 8.12.(b) G.S. 116-256 reads as rewritten:

"§ 116-256. Annual report.

By ~~December 1~~ January 1 of each year, the Collaboratory shall report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the Joint Legislative Oversight Committee on Health and Human Services, and the Joint Legislative Education Oversight Committee on its activities in the prior fiscal year and any legislative recommendations."

1 **SECTION 8.12.(c)** G.S. 58-82B-10 reads as rewritten:

2 "**§ 58-82B-10. Duties of Office of the State Fire Marshal.**

3 The Office of the State Fire Marshal (OSFM) shall do all of the following:

4 ...

5 (2) ~~Assist the North Carolina Collaboratory, established under G.S. 116-255, in~~
6 ~~the development of~~ Develop and maintain, with the assistance of the North
7 Carolina Collaboratory established under G.S. 116-255, an online reporting
8 portal for fire departments operated, regulated, or managed by one or more
9 units of State and local government, including those located at or serving
10 public airports, with the requirements of this Article.

11 "

12 **SECTION 8.12.(d)** Subsection (i) of Section 8.10 of S.L. 2021-180 reads as
13 rewritten:

14 "**SECTION 8.10.(i)** ~~The Collaboratory, in partnership with the~~ The Office of the State Fire
15 Marshal (OSFM) (OSFM), in partnership with the Collaboratory and any unit of State and local
16 government deemed relevant by the Collaboratory, OSFM, shall develop and maintain the online
17 reporting portal as required by G.S. 58-82B-10, as enacted by subsection (h) of this section, and
18 G.S. 116-255(b)(6), as enacted by Section 8.8 of this act. The portal shall consist of an online
19 reporting tool and related database that captures the storage and deployment of Aqueous
20 Film-Forming Foams (AFFF) by fire departments in the State that are operated, managed, or
21 overseen by units of local government, including those located at or serving public airports. The
22 reporting tool shall be easily accessible to firefighters and fire department personnel to upload
23 the data. The required inventory data shall include, at a minimum, the following:

24 "

25 **ESTABLISH OFFICE OF LEARNING RESEARCH**

26 **SECTION 8.13.(a)** Article 31A of Chapter 116 of the General Statutes is amended
27 by adding the following new section to read:

28 "**§ 116-257. Office of Learning Research.**

29 (a) Office of Learning Research Established. – There is established the Office of
30 Learning Research (OLR) to identify and evaluate the efficacy and efficiency of programs,
31 activities, initiatives, procedures, and any other factors related to elementary and secondary
32 education in the State. The OLR shall be housed within the Collaboratory.

33 (b) Funding and Duties of the OLR. – Funding allocated to the Collaboratory for the OLR
34 shall be administered by the Collaboratory pursuant to the provisions of G.S. 116-255(c). These
35 funds shall be used to do at least the following:

36 (1) Provide information and support needed by elementary and secondary public
37 schools, university leaders, and elected officials to make evidence-based
38 decisions.

39 (2) Collaborate with constituent institutions of The University of North Carolina
40 and other stakeholders to implement innovative policies and programs to
41 accelerate learning for all students.

42 (3) Work with external research resources and partners to evaluate local, State,
43 and federal programs in order to establish metrics and assess return on
44 investment.

45 (4) Support the operations of the OLR.

46 (c) Access to Information. – All units of State and local government, including the State
47 Board of Education, the Department of Public Instruction, and public school units, shall provide
48 access to the OLR to records, data, processes, personnel, and any other information deemed
49 relevant by the Collaboratory to carry out its duties pursuant to G.S. 116-255(b). The access
50

1 provided to the Collaboratory pursuant to this subsection shall be in addition to any access
2 provided related to funding received by the Collaboratory under G.S. 116-255(c)."

3 **SECTION 8.13.(b)** Section 2A.8 of S.L. 2024-57 reads as rewritten:

4 "**SECTION 2A.8.(a)** ~~OLR Established.~~ OLR Funds. – There is appropriated from the
5 General Fund to the Board of Governors of The University of North Carolina the sum of one
6 million five hundred thousand dollars (\$1,500,000) in recurring funds for the 2024-2025 fiscal
7 year to be allocated to the North Carolina Collaboratory to ~~establish and~~ operate the Office of
8 Learning Research (OLR), beginning in the 2024-2025 fiscal year. ~~The purpose of OLR is to~~
9 ~~identify and evaluate the efficacy and efficiency of programs, activities, initiatives, procedures,~~
10 ~~and any other factors related to elementary and secondary education in the State.~~

11 "~~SECTION 2A.8.(b)~~ Funding and Duties of OLR. – Funding allocated to the Collaboratory
12 for ~~OLR~~ shall be administered by the Collaboratory pursuant to the provisions of
13 G.S. 116-255(c). These funds shall be used to do at least the following:

- 14 (1) ~~Provide information and support needed by elementary and secondary public~~
15 ~~schools, university leaders, and elected officials to make evidence-based~~
16 ~~decisions.~~
- 17 (2) ~~Collaborate with constituent institutions of The University of North Carolina~~
18 ~~and other stakeholders to implement innovative policies and programs to~~
19 ~~accelerate learning for all students.~~
- 20 (3) ~~Work with external research resources and partners to evaluate local, State,~~
21 ~~and federal programs in order to establish metrics and assess return on~~
22 ~~investment.~~
- 23 (4) ~~Support the operations of OLR.~~

24 "~~SECTION 2A.8.(c)~~ Collaboratory May Relocate OLR. – After the Collaboratory
25 establishes OLR, the Collaboratory may, in consultation with The University of North Carolina
26 System Office and the Provost at the University of North Carolina at Chapel Hill, relocate OLR
27 within the University of North Carolina at Chapel Hill. If the Collaboratory relocates OLR
28 pursuant to this section, the Collaboratory shall do the following:

- 29 (1) ~~Continue to administer funds appropriated in this act for OLR for the~~
30 ~~operations of OLR, as described in subsection (b) of this section.~~
- 31 (2) ~~Continue to determine, fund, manage, and oversee the research portfolio of~~
32 ~~OLR. The entity to which OLR is relocated shall otherwise oversee the~~
33 ~~operations of OLR.~~
- 34 (3) ~~Within 60 days of the relocation, report to the Joint Legislative Education~~
35 ~~Oversight Committee on where OLR was relocated and any other information~~
36 ~~the Collaboratory deems relevant to the relocation.~~

37 "~~SECTION 2A.8.(d)~~ Access to Information. – All units of State and local government,
38 including the State Board of Education, the Department of Public Instruction, and public school
39 units, shall provide reasonable access to records, data, processes, personnel, and any other
40 information deemed relevant by the Office or the Collaboratory, to the extent otherwise permitted
41 under State and federal law, to carry out the provisions of this section.

42 "**SECTION 2A.8.(e)** Report. – No later than July 1, 2025, the Collaboratory shall report to
43 the Joint Legislative Education Oversight Committee on the progress made in establishing and
44 operating the OLR pursuant to this section. ~~For each fiscal year OLR is in operation, the~~
45 ~~Collaboratory shall include in the annual report required by G.S. 116-256 information on the~~
46 ~~activities of OLR from the prior fiscal year."~~

47 **SECTION 8.13.(c)** This section is effective when it becomes law.

49 **NORTH CAROLINA COLLABORATORY MAY USE CYANOBACTERIAL ALGAL**
50 **BLOOM TREATMENT PILOT PROJECT FUNDS FOR OTHER RESEARCH**
51 **PROJECTS**

1 **SECTION 8.14.(a)** Section 8.18(c) of S.L. 2021-180 reads as rewritten:

2 **"SECTION 8.18.(c)** The nonrecurring funds appropriated in this act for the 2021-2022 fiscal
3 year to the Board of Governors of The University of North Carolina and allocated to the
4 Collaboratory for the study of a cyanobacterial algal bloom treatment provided in subsection (b)
5 of this section shall not revert to the General Fund at the end of the 2021-2022 fiscal year but
6 shall remain available until expended. If these funds are not fully expended after the
7 Collaboratory completes the evaluation required by this section, the Collaboratory may in its
8 discretion use these funds for other research projects related to the study, analysis, and
9 improvement of surface water quality in the State, including research projects related to
10 nutrient-impaired coastal waters."

11 **SECTION 8.14.(b)** This section is effective when it becomes law.

12
13 **UNIVERSITY OF NORTH CAROLINA SYSTEM FACULTY REALIGNMENT**
14 **INCENTIVE PROGRAM**

15 **SECTION 8.15.** Part 1 of Article 1 of Chapter 116 of the General Statutes is amended
16 by adding the following new section to read:

17 **"§ 116-17.4. Faculty Realignment Incentive Program.**

18 (a) For purposes of this section, the following definitions shall apply:

19 (1) Identified faculty member. – A full-time, tenured faculty member employed
20 by a constituent institution of The University of North Carolina who meets all
21 of the following criteria:

22 a. Is at least 55 years of age.

23 b. Meets either of the following criteria:

24 1. Is eligible to commence retirement with an early or service
25 retirement allowance under the Teachers' and State Employees'
26 Retirement System (TSERS).

27 2. Is vested in the Optional Retirement Program (ORP) for The
28 University of North Carolina.

29 c. Does not receive disability or workers' compensation benefits.

30 (2) Program. – The Faculty Realignment Incentive Program established pursuant
31 to this section.

32 (b) There is established the Faculty Realignment Incentive Program to authorize the
33 Board of Governors of The University of North Carolina to permit constituent institutions of The
34 University of North Carolina to award severance payments to identified faculty members to
35 provide long-term cost-savings and improved operational efficiencies for The University of
36 North Carolina. To the extent funds are made available for this purpose, funds for the Program
37 shall be distributed among constituent institutions based on criteria established by the President
38 of The University of North Carolina. The Program shall meet at least the following requirements:

39 (1) An identified faculty member shall be selected to receive a payment under the
40 Program in the discretion of the constituent institution where the identified
41 faculty member is employed.

42 (2) Severance payments shall be equivalent to the identified faculty member's
43 base salary from the prior academic year.

44 (3) Severance payments shall be exempt from payroll deductions for retirement
45 contributions and shall not be considered compensation for purposes of the
46 supplemental plans administered by The University of North Carolina or plans
47 administered by the Supplemental Retirement Board of Trustees under
48 G.S. 135-96.

49 (4) If an identified faculty member does not qualify for the full employer premium
50 contribution for retiree health coverage provided under TSERS or ORP, then
51 the constituent institution where the identified faculty member is employed

1 may provide the faculty member, in addition to a severance payment, an
 2 amount equivalent to 12 months of the full employer contribution to the
 3 employee health insurance premium.

4 (c) December 1 of each year, the Board of Governors shall report at least the following
 5 information on the Program to the Joint Legislative Education Oversight Committee and the
 6 Fiscal Research Division, disaggregated by constituent institution:

7 (1) The number of identified faculty members that received funds under the
 8 Program.

9 (2) The total amount paid out by the Program."

10
 11 **REVISE DEADLINE FOR UNC REPORT ON STATE BUDGET ALLOCATIONS AND**
 12 **POLICIES**

13 **SECTION 8.16.** G.S. 116-11(9b) reads as rewritten:

14 "(9b) The Board of Governors shall report by ~~February 1~~ March 1 of each year to
 15 the Joint Legislative Education Oversight Committee, the Senate
 16 Appropriations Committee on Education/Higher Education, the House of
 17 Representatives Appropriations Subcommittee on Education, and the Fiscal
 18 Research Division on the actions and adjustments necessary to its budgetary
 19 policies, regulations, and standards resulting from the Current Operations
 20 Appropriations Act for the administration and operation of The University of
 21 North Carolina and the distribution of State and federal funds to constituent
 22 institutions. The report shall include at least the following information for
 23 each constituent institution:

- 24 a. Guidelines related to State salaries of University of North Carolina
 25 employees, including range, median, and mean of faculty salaries at
 26 the institution.
 27 b. Budget allocations and reductions, including for operating expenses
 28 and specific programs.
 29 c. Distribution of additional State allocations for enrollment funding.
 30 d. Use of State funds and budget flexibility.
 31 e. Availability of federal funds.
 32 f. Tuition and fees.
 33 g. Composition of the student population at the institution, including
 34 headcount enrollment and full-time student enrollment for both
 35 undergraduate and graduate students, and aggregate data on residency
 36 status, median household income, gender, race, and ethnicity.
 37 h. Student retention and graduation rates.
 38 i. Postsecondary educational attainment rate at the institution, including
 39 comparison to statewide data.
 40 j. A comparison to prior fiscal year expenditures and appropriations.
 41 k. The total amount of mandatory student fee revenue collected by
 42 institution and fee type.
 43 l. Any source of student auxiliary revenue that represents greater than
 44 ten percent (10%) of the overall student auxiliary revenue by
 45 institution and revenue type.
 46 m. Any source of sales revenue that represents greater than ten percent
 47 (10%) of the overall sales revenue by institution and sales revenue
 48 type."
 49

50 **CONSTRUCTION MANAGEMENT CAPACITY FLEXIBILITY**

51 **SECTION 8.17.(a)** G.S. 143C-4-3.1 is amended by adding a new subsection to read:

"(e1) Notwithstanding any other provision of law, for any project with a total project authorization from the Fund that exceeds twenty million dollars (\$20,000,000), a low-capacity institution may use up to one percent (1%) of the total project authorization to support additional project management capacity provided through (i) time-limited employees of the constituent institution or (ii) a non-State third party. The low-capacity institution shall not use the flexibility to supplant funding for existing employees. For the purposes of this subsection, a low-capacity institution is a constituent institution of The University of North Carolina with a full-time equivalent enrollment of less than 10,000 students in the fiscal year preceding authorization of the project by State law."

SECTION 8.17.(b) This section is effective when it becomes law and applies to contracts executed on or after that date.

CARRYFORWARD UNC ENROLLMENT LOSS MITIGATION FUNDS

SECTION 8.18.(a) Section 2A.4 of S.L. 2024-57 reads as rewritten:

~~"SECTION 2A.4. SECTION 2A.4.(a)~~ There is appropriated from the General Fund to the Board of Governors of The University of North Carolina for the 2024-2025 fiscal year the sum of seven million eight hundred thirty-seven thousand six hundred forty-six dollars (\$7,837,646) in nonrecurring funds to be allocated to offset enrollment-related funding losses experienced by certain constituent institutions of The University of North Carolina, as follows:

| Allocation | Constituent Institution |
|-------------------|--|
| \$1,364,971 | East Carolina University |
| \$1,500,000 | University of North Carolina at Asheville |
| \$19,687 | University of North Carolina at Greensboro |
| \$3,701,653 | University of North Carolina at Pembroke |
| \$1,251,335 | Winston-Salem State University |

SECTION 2A.4.(b) These funds shall not revert at the end of the 2024-2025 fiscal year but shall remain available until the end of the 2025-2026 fiscal year."

SECTION 8.18.(b) This section becomes effective June 30, 2025.

INCREASE NC PROMISE TUITION FOR NONRESIDENTS

SECTION 8.19.(a) G.S. 116-143.11(a) reads as rewritten:

"(a) The NC Promise Tuition Plan shall be established and implemented as provided by this section. Notwithstanding G.S. 116-143 and G.S. 116-11(7), the Board of Governors of The University of North Carolina shall set the rate of undergraduate tuition for Elizabeth City State University, the University of North Carolina at Pembroke, Fayetteville State University, and Western Carolina University as follows: the rate of tuition for students deemed to be North Carolina residents for purposes of tuition shall be five hundred dollars (\$500.00) per academic semester and the rate of tuition for nonresident students shall be ~~two thousand five hundred dollars (\$2,500)~~ three thousand dollars (\$3,000) per academic semester."

SECTION 8.19.(b) This section applies beginning in the 2026-2027 academic year to nonresident students matriculating at NC Promise institutions. Any nonresident student enrolled in the 2025-2026 academic year at an NC Promise institution who remains continuously enrolled in that institution shall continue to receive a rate of tuition of two thousand five hundred dollars (\$2,500) per academic semester.

SECTION 8.19.(c) For purposes of this section, the term "NC Promise institution" refers to Elizabeth City State University, the University of North Carolina at Pembroke, Fayetteville State University, and Western Carolina University.

INSTITUTIONAL PERFORMANCE ACCOUNTABILITY AND FUNDING

SECTION 8.20.(a) Implementation of Accountability Measures and Performance Standards. – For the 2025-2027 fiscal biennium, the Board of Governors of The University of

1 North Carolina shall adopt and implement a system of accountability measures and performance
2 standards for the constituent institutions of The University of North Carolina.

3 **SECTION 8.20.(b)** Recognition of Successful Institutional Performance. – Of the
4 nonrecurring funds appropriated in this act for each fiscal year of the 2025-2027 fiscal biennium
5 to the Board of Governors of The University of North Carolina for performance funding, the
6 Board may allocate the funds among constituent institutions based on an evaluation of the
7 performance of each institution conducted in accordance with the system of accountability
8 measures and performance standards adopted pursuant to subsection (a) of this section. The
9 evaluation shall include at least the following components:

10 (1) Performance change, based on the rate of student success at a constituent
11 institution as compared to the baseline or goal rate of student success for that
12 constituent institution.

13 (2) Institutional impact, based on the number of students at a constituent
14 institution who graduate with a degree.

15 **SECTION 8.20.(c)** Institutional Support. – In addition to the nonrecurring funds
16 appropriated in this act for each fiscal year of the 2025-2027 fiscal biennium to the Board of
17 Governors of The University of North Carolina for performance funding, the Board of Governors
18 may allocate additional available funds to specific constituent institutions that require targeted
19 support to increase performance or adapt to significant enrollment changes. Funds allocated to
20 an institution pursuant to this subsection may be used to support strategies at the constituent
21 institution to improve institutional performance.

22 **EXPEDITED TEACHER PIPELINE PATHWAY STUDY**

23 **SECTION 8.21.** No later than February 15, 2026, the Board of Governors of The
24 University of North Carolina, in collaboration with the State Board of Community Colleges, shall
25 report to the Joint Legislative Education Oversight Committee on a plan for an expedited pathway
26 for North Carolina high school students to enter the teaching profession. The plan shall include
27 at least the following components:

28 (1) Options for an accelerated transition pathway that allows high school students
29 to earn college credits leading to a teaching license while participating in
30 structured, paid, or other experiential learning in the classroom, including
31 applicable program design and sequencing components needed to achieve that
32 goal.

33 (2) Maximize usage and transferability of at least the following coursework
34 completion opportunities:

35 a. College transfer pathways provided through the Career and College
36 Promise Program that support entry into a recognized educator
37 preparation program.

38 b. Community college coursework leading to completion of an associate
39 degree related to teacher preparation.

40 c. Online or asynchronous coursework provided at a constituent
41 institution of The University of North Carolina leading to a bachelor's
42 degree.

43 d. Enrollment in an associate degree program or a bachelor's degree
44 program while serving (i) as a full-time employee in a public school
45 unit and (ii) as a teacher assistant or apprentice in a registered
46 apprenticeship program pursuant to G.S. 115C-269.33, as enacted by
47 Section 7.37 of this act.

48 (3) Any legislative changes or appropriations needed to implement the plan.

49 **UNC STUDY INCREASING NCSSM MORGANTON SIZE**

1 **SECTION 8.22.(a)** No later than February 15, 2026, the Board of Governors of The
 2 University of North Carolina, in consultation with the Chancellor of the North Carolina School
 3 of Science and Mathematics, shall study the feasibility of increasing the size of the Morganton
 4 campus of the North Carolina School of Science and Mathematics (NCSSM-Morganton),
 5 develop a plan to accommodate at least twice as many enrolled students at NCSSM-Morganton,
 6 and report the plan to the Joint Legislative Education Oversight Committee. At a minimum, the
 7 plan shall include the following information:

- 8 (1) An analysis of the number of students with excellent academic records who
 9 apply to the North Carolina School of Science and Mathematics but are not
 10 accepted because of lack of physical space or other resources.
- 11 (2) Resources needed to accommodate additional students and associated costs,
 12 including at least the following:
 - 13 a. Improvements to physical spaces, including residence halls.
 - 14 b. Additional faculty and staff.
 - 15 c. Instructional materials.
 - 16 d. Other costs, as determined by the Board of Governors.

17 **SECTION 8.22.(b)** This section is effective when it becomes law.

18 19 **PROTECT CAMPUS SURVIVOR'S ACT**

20 **SECTION 8.23.(a)** G.S. 116-43.17 reads as rewritten:

21 "**§ 116-43.17. Confidentiality of ~~research data, records, and information of a proprietary~~**
 22 **~~nature, certain records.~~**

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

24 (1) Personally identifiable information. – Any of the following information:

- 25 a. The name of a student.
- 26 b. The name of the parent or other family member of a student.
- 27 c. The address of a student or the student's family.
- 28 d. Any personal identifier for a student, including social security number,
 29 student number, or biometric record.
- 30 e. Any indirect identifier for a student, including date of birth, place of
 31 birth, or mother's maiden name.
- 32 f. Any other information, alone or in combination, that is linked or
 33 linkable to a specific student and that would allow a reasonable person
 34 in the community of the public institution of higher education where
 35 the student attends, who does not have personal knowledge of the
 36 relevant circumstances, to identify the student with reasonable
 37 certainty.
- 38 g. Any information requested by a person who the public institution of
 39 higher education reasonably believes knows the identity of the student
 40 to whom the information relates.

41 (2) Personally identifiable student disciplinary records. – Any records, including
 42 materials that are described in G.S. 132-1(a), that meet all of the following
 43 criteria:

- 44 a. Are made, received, or maintained by a public institution of higher
 45 education.
- 46 b. Contain personally identifiable information of or about a student.
- 47 c. Are related to a complaint, investigation, or resolution of an alleged
 48 violation of or noncompliance with the disciplinary or conduct rules
 49 or other policy of a public institution of higher education.

50 (3) Public institution of higher education. – Any of the following:

- 51 a. The University of North Carolina.

- 1 b. A constituent institution of The University of North Carolina, as
 2 defined in G.S. 116-2(4), that is an institution of higher education.
 3 c. The Community Colleges System Office, as defined in G.S. 115D-3.
 4 d. A community college, as defined in G.S. 115D-2(2).

5 (4) Student. – Any individual (i) who attends or has attended a public institution
 6 of higher education and (ii) about whom the public institution of higher
 7 education maintains records.

8 (b) Confidentiality of Certain Records. – The following are not public records under
 9 Chapter 132 of the General Statutes:

- 10 (1) Research data, records, or information of a proprietary nature, produced or
 11 collected by or for state institutions of higher learning in the conduct of
 12 commercial, scientific, or technical research where the data, records, or
 13 information has not been patented, published, or ~~copyrighted~~ are not public
 14 records as defined by G.S. 132-1. ~~copyrighted.~~
 15 (2) Personally identifiable student disciplinary records, even if release of the
 16 records would be permitted by the Family Educational Rights and Privacy
 17 Act, 20 U.S.C. § 1232g (34 C.F.R. Part 99). Nothing in this subdivision is
 18 intended to limit the disclosure of public records that do not contain personally
 19 identifiable information."

20 **SECTION 8.23.(b)** G.S. 115D-78 reads as rewritten:

21 **"§ 115D-78. Access to information and public records; small business counseling**
 22 **information.**

23 (a) In accordance with Chapter 132 of the General Statutes, all rules, regulations and
 24 public records of the State Board of Community Colleges, the Community Colleges System
 25 Office, and local boards of trustees shall be available for examination and reproduction on
 26 payment of fees by any person.

27 (a1) As provided in G.S. 116-43.17, personally identifiable student disciplinary records
 28 are not public records under Chapter 132 of the General Statutes.

29 "

30 **SECTION 8.23.(c)** G.S. 132-1.2 reads as rewritten:

31 **"§ 132-1.2. Confidential information.**

32 Nothing in this Chapter shall be construed to require or authorize a public agency or its
 33 subdivision to disclose any information that:

34 ...

- 35 (11) Reveals personally identifiable student disciplinary records in violation of
 36 G.S. 116-43.17."

37 **SECTION 8.23.(d)** This section is effective when it becomes law and applies to
 38 requests for personally identifiable student disciplinary records submitted on or after that date.

40 **FISCAL RESPONSIBILITY AND UNIVERSITY TECH PLANNING**

41 **SECTION 8.24.** G.S. 116-11 is amended by adding a new subdivision to read:

42 "(9c) The Board shall adopt a policy that requires all constituent institutions to
 43 evaluate the following when acquiring the technology, computer hardware,
 44 and software:

- 45 a. The long-term cost of ownership, including costs of repairing the
 46 technology, computer hardware, or software.
 47 b. Any flexibility for innovation during the life of the technology,
 48 computer hardware, or software.
 49 c. Any anticipated resale or salvage value at the end of the target life
 50 cycle for the technology, computer hardware, or software based on the

1 average resale or salvage value of similar technology, computer
2 hardware, or software as a percentage of the initial cost of purchase."
3

4 **OFFICE OF LEARNING RESEARCH EVALUATION OF COMPETENCY-BASED** 5 **LEARNING PROGRAMS**

6 **SECTION 8.25.** The Office of Learning Research at the North Carolina
7 Collaboratory shall study and evaluate the programs established pursuant to Sections 6.8, 7.17,
8 7.18, and 7.19 of this act and report to the Joint Legislative Education Oversight Committee by
9 March 15, 2027, and annually thereafter, culminating in a final report on March 15, 2030. Reports
10 shall include at least the following:

- 11 (1) The total number of students engaging with these programs.
- 12 (2) The total amount of funds expended to implement, design, and operate the
13 programs.
- 14 (3) Effects on student achievement and learning outcomes.

15 16 **NORTH CAROLINA SPORTS RIVALRIES**

17 **SECTION 8.26.(a)** It is the intent of the General Assembly that the University of
18 North Carolina at Chapel Hill (UNC-CH) and North Carolina State University (NCSU) should
19 attempt to schedule basketball games against every other constituent institution of The University
20 of North Carolina, as follows:

- 21 (1) UNC-CH and NCSU should schedule at least three regular season or
22 exhibition games against each constituent institution team competing at the
23 National Collegiate Athletic Association (NCAA) Division II level by the
24 2039-2040 season.
- 25 (2) UNC-CH and NCSU should schedule regular season games against each
26 constituent institution's men's and women's basketball team competing at the
27 NCAA Division I level so that UNC-CH and NCSU both play each men's and
28 women's team at least two times by the 2039-2040 season. At least one game
29 played by each of the UNC and NCSU men's and women's basketball teams
30 against each other constituent institution team pursuant to this section should
31 be an away game for UNC and NCSU.

32 **SECTION 8.26.(b)** Nothing in this section shall be construed to limit the ability of
33 UNC-CH and NCSU to schedule more games against teams of other constituent institutions.
34

35 **NO FINANCIAL BENEFIT FOR UNC STUDENTS CONVICTED OF ASSAULTING** 36 **OFFICERS OR EMPLOYEES OF THE STATE**

37 **SECTION 8.27.(a)** G.S. 116-11 is amended by adding a new subdivision to read:

38 "(7b) The Board of Governors shall adopt a policy prohibiting The University of
39 North Carolina and its constituent institutions from providing a State-funded
40 scholarship or grant to any student who has been convicted of assaulting an
41 officer or employee of the State or any political subdivision of the State, as
42 provided in G.S. 14-33(c)(4), while enrolled as a student. The prohibition
43 begins with the semester or academic term following the conviction."

44 **SECTION 8.27.(b).** Article 14 of Chapter 116 of the General Statutes is amended
45 by adding a new section to read:

46 **"§ 116-143.2A. In-State tuition rate disqualification.**

47 Notwithstanding G.S. 116-143.1 or any other law to the contrary, a person enrolled at an
48 institution of higher education, as defined in G.S. 116-143.1, is disqualified from receiving the
49 in-State tuition rate if the person has been convicted of assaulting an officer or employee of the
50 State or any political subdivision of the State, as provided in G.S. 14-33(c)(4), while enrolled in

1 the institution. The disqualification begins with the semester or academic term following the
2 conviction."

3 **SECTION 8.27.(c)** Article 23 of Chapter 116 of the General Statutes is amended by
4 adding a new section to read:

5 **"§ 116-209.19B. State-funded scholarship or grant disqualification.**

6 The Authority shall adopt a rule prohibiting any student from receiving a State-funded
7 scholarship or grant if the student has been convicted of assaulting an officer or employee of the
8 State or any political subdivision of the State, as provided in G.S. 14-33(c)(4), while enrolled as
9 a student. The prohibition begins with the semester or academic term following the conviction."

10 **SECTION 8.27.(d)** This section is effective December 1, 2025, and applies to
11 offenses committed on or after that date.

12
13 **PART VIII-A. UNIVERSITY/STATE EDUCATION ASSISTANCE AUTHORITY**

14
15 **STUDENT-BASED EDUCATIONAL WALLET PILOT PROGRAM**

16 **SECTION 8A.1.(a)** Program; Purpose. – There is established the Student-Based
17 Educational Wallet Pilot Program (Pilot) for the 2026-2027 fiscal year to be administered by the
18 State Education Assistance Authority (Authority) in coordination with one public school unit
19 selected by the Authority to participate in the Pilot. The purpose of the Pilot is to foster
20 personalized learning pathways and expand access to educational enrichment by providing funds
21 for high school students to participate in eligible activities and credit-bearing activities. The goal
22 of the Pilot is to establish a streamlined process for students to participate in credit-bearing
23 activities.

24 **SECTION 8A.1.(b)** Definitions. – The following definitions shall apply in this
25 section:

- 26 (1) Approved provider. – An entity, including a business, nonprofit, vendor, or
27 other organization or institution, that has been approved by the participating
28 public school unit to provide eligible activities, including credit-bearing
29 activities, for participating students.
- 30 (2) Eligible activity. – A program, course, or experience occurring outside the
31 traditional classroom that is provided to a participating student by an approved
32 provider and approved by the participating public school unit, including the
33 following:
- 34 a. Career and technical education programs, including student
35 internships.
 - 36 b. Art, music, and other performance-based activities.
 - 37 c. Science, technology, engineering, and mathematics competitions or
38 research programs.
 - 39 d. Leadership and civic engagement programs.
 - 40 e. Athletic and other physical education programs that have some
41 instructional component.
- 42 (3) Eligible student. – Any student who meets all of the following criteria:
- 43 a. Submits an application to the Authority to participate in the Pilot.
 - 44 b. Is enrolled in the high school selected by the participating public
45 school unit to participate in the Pilot.
- 46 (4) Credit-bearing activity. – An eligible activity that is approved by the
47 participating public school unit as providing instruction that qualifies a
48 participating student to receive one or more academic credits.
- 49 (5) Parent. – A parent, legal guardian, or legal custodian of an eligible student.
- 50 (6) Participating public school unit. – The public school unit identified by the
51 Authority to participate in the Pilot.

- 1 (7) Participating student. – An eligible student who is admitted to participate in
2 the Pilot by the Authority and whose parent signs the parental agreement.
- 3 (8) Qualifying educational expenses. – Tuition, fees, and materials for approved
4 providers for eligible activities, including credit-bearing activities.
- 5 (9) Student-Based Educational Wallet or SBEW. – An electronic account
6 provided to a parent for the purpose of holding funds awarded by the Authority
7 for a participating student to engage in eligible activities in accordance with
8 the Pilot.

9 **SECTION 8A.1.(c)** Selection of Participating Unit. – No later than August 1, 2025,
10 the Authority shall establish a process to select one participating public school unit for the Pilot.
11 No later than January 1, 2026, the participating public school unit shall provide the Authority
12 with the name of the high school in the unit that will be participating in the Pilot and a list of (i)
13 eligible students, (ii) eligible activities, and (iii) approved providers. The participating public
14 school unit shall only select one high school in the unit to participate in the Pilot. The
15 participating public school unit shall enter into a data sharing agreement with the Authority for
16 the purpose of administering the Pilot and for the protection of student data.

17 **SECTION 8A.1.(d)** Selection of Participating Students. – No later than February 2,
18 2026, the Authority shall make available applications to eligible students for the award of funds
19 for an SBEW to be used for qualifying educational expenses pursuant to the Pilot. Applications
20 shall be submitted electronically. No later than April 15, 2026, the Authority shall admit any
21 eligible student to the Pilot for the 2026-2027 school year who submitted a timely application
22 and whose parent signed the parental agreement. If the funds provided for the Pilot are
23 insufficient to admit all eligible students, the Authority may adopt a lottery process for the
24 selection of participating students.

25 **SECTION 8A.1.(e)** Award of Funds. – The Authority shall award funds for the
26 2026-2027 school year to participating students on a per-student basis in an amount of up to three
27 hundred ninety-five dollars (\$395.00) per student. Grant funds shall only be used for qualifying
28 educational expenses in accordance with the parental agreement. The award of funds through an
29 SBEW shall be subject to the execution of a parental agreement as required by subsection (f) of
30 this section. The parent shall then receive an electronic account for the receipt of funds for
31 qualifying educational expenses incurred in the 2026-2027 school year. Requests for qualifying
32 educational expenses are subject to a preapproval process established by the Authority prior to
33 the disbursement of funds from the electronic account. An expense report shall not be required
34 for any expenses that have been preapproved by the Authority and the participating public school
35 unit.

36 **SECTION 8A.1.(f)** Parental Agreement; Use of Funds. – The Authority shall
37 provide the parent of an eligible student who applies to participate in the Pilot with a written
38 agreement to be signed and returned to the Authority prior to receiving funds. The agreement
39 shall be submitted to the Authority electronically. The parent shall not designate any entity or
40 individual to execute the agreement on the parent's behalf. A parent or eligible student's failure
41 to comply with this section shall result in a forfeit of funds and those funds may be awarded to
42 another eligible student. The parent shall agree to use the funds deposited into an SBEW only for
43 the qualifying educational expenses of the eligible student. These funds shall not be used for
44 noneducational expenses, including personal items or travel.

45 **SECTION 8A.1.(g)** Credit Review. – Notwithstanding any policy or rule adopted
46 by the State Board of Education to the contrary, the participating public school unit shall
47 determine whether an eligible activity constitutes a credit-bearing activity. The Authority and the
48 participating public school unit shall establish a reporting time line for the Authority to provide
49 data on the use of funds for each semester per participating student. The participating public
50 school unit shall establish a review process for whether a student's participation in a
51 credit-bearing activity is sufficient for the student to receive credit. As part of the review process,

1 the student may submit information to the participating public school unit to demonstrate the
2 student's proficiency in the subject area, including portfolios, performance assessments, and
3 competency-based evaluations.

4 **SECTION 8A.1.(h) Administration.** – The Authority, in consultation with the
5 participating public school unit, shall administer the student-based educational wallets for
6 participating students. As part of this process, the Authority shall establish an online portal for
7 students and parents to track account balances, review eligible activities, and submit
8 reimbursement requests. The Authority may contract with a private financial management firm
9 or institution to manage SBEWs in accordance with the Pilot. The Authority may audit a random
10 sampling of SBEWs to ensure compliance with the Pilot and may contract with an independent
11 entity to conduct these audits. The Authority may remove a parent or eligible student from the
12 program and close an SBEW for failure to comply with the terms of the parental agreement, for
13 failure to comply with applicable laws, or because the student is no longer an eligible student. Of
14 the funds allocated to the Authority to award funds under the Pilot, the Authority may retain fifty
15 thousand dollars (\$50,000) for administrative costs associated with the Pilot, including
16 contracting with non-State entities for administration of certain components of the Pilot.

17 **SECTION 8A.1.(i) Miscellaneous.** – The following shall apply to the Pilot:

- 18 (1) **Public records.** – Applications to participate in the Pilot and personally
19 identifiable information related to eligible students receiving funds shall not
20 be a public record under Chapter 132 of the General Statutes. For the purposes
21 of this subdivision, personally identifiable information means any information
22 directly related to a student or members of a student's household, including
23 the name, birthdate, address, Social Security number, telephone number,
24 email address, or any other information or identification number that would
25 provide information about a specific student or members of a specific student's
26 household.
- 27 (2) **No refunds to account holders.** – An approved provider shall not refund or
28 rebate any funds to a parent or participating student in any manner. The parent
29 shall notify the Authority if such refund is required.

30 **SECTION 8A.1.(j) Report.** – No later than February 15, 2027, the North Carolina
31 Collaboratory, in consultation with the Authority and the participating public school unit, shall
32 study and report to the Joint Legislative Education Oversight Committee on the implementation
33 of the Pilot and the impact of the Pilot on student success. At a minimum, the report shall include
34 the following additional information:

- 35 (1) The number of students who used funds provided to an SBEW and the amount
36 of funds used.
- 37 (2) The credit-bearing opportunities purchased with SBEW funds and the number
38 of credits earned.
- 39 (3) All approved providers receiving funds for providing eligible activities under
40 the Pilot and the amount of funding received by each approved provider.

41 **SECTION 8A.1.(k) Funds.** – The nonrecurring funds appropriated to the Board of
42 Governors of The University of North Carolina in this act for the 2025-2026 fiscal year to be
43 allocated to the State Education Assistance Authority to implement the Student-Based
44 Educational Wallet Pilot Program in accordance with this section shall not revert at the end of
45 the 2025-2026 fiscal year but shall remain available until the end of the 2026-2027 fiscal year.

46
47 **REVISE CERTAIN OPPORTUNITY SCHOLARSHIP DOMICILE VERIFICATION**
48 **REQUIREMENTS**

49 **SECTION 8A.2.** G.S. 115C-562.3 reads as rewritten:

50 **"§ 115C-562.3. Verification of eligibility; information from other State agencies.**

1 (a) To verify that the domicile requirements of G.S. 115C-366 are met for State
 2 residency, the Authority shall establish a domicile determination system and shall establish rules
 3 for determination of domicile within the State in accordance with this subsection. The Division
 4 of Motor Vehicles of the Department of Transportation, the Department of Public Instruction,
 5 the Department of Commerce, the Department of Health and Human Services, the Department
 6 of Revenue, the State Board of Elections, and the State Chief Information Officer each shall
 7 expeditiously cooperate with the Authority in verifying electronically, or by other similarly
 8 effective and efficient means, evidence submitted to the Authority for the purposes of
 9 establishing the domicile required by G.S. 115C-366 for State residency. The Authority shall
 10 accept any of the following as evidence of domicile within the State:

11 ...

12 (b) Household members of applicants for scholarship grants shall authorize the Authority
 13 to access ~~information~~ certain information, including social security numbers and other unique
 14 identifiers, needed for verification efforts conducted under this section that is held by other State
 15 agencies, including the Department of Revenue, the Department of Health and Human Services,
 16 and the Department of Public Instruction.

17 (b1) The Authority may adopt in its rules a process for contracting with a third-party
 18 vendor to facilitate the verification of domicile or other application information in accordance
 19 with this section.

20 (c) By December 1 of each year, the Department of Public Instruction shall provide the
 21 Authority the average State per pupil allocation for that fiscal year to determine the maximum
 22 scholarship amount for eligible students to be awarded in the following fiscal year in accordance
 23 with G.S. 115C-562.2(b2)."

24 25 **CLARIFY APPLICATION DATE FOR OPPORTUNITY SCHOLARSHIP AND PESA** 26 **PROGRAMS**

27 **SECTION 8A.3.(a)** G.S. 115C-562.2(a) reads as rewritten:

28 "(a) The Authority shall make available no later than ~~February 1 annually~~ the first Monday
 29 in February of each year applications to eligible students for the award of scholarship grants to
 30 attend any nonpublic school on a full- or part-time basis. Information about scholarship grants
 31 and the application process shall be made available on the Authority's Web site. Beginning March
 32 15, the Authority shall begin awarding scholarship grants to students who have applied by ~~March~~
 33 ~~1~~ the first Monday in March in the following order:

34"

35 **SECTION 8A.3.(b)** G.S. 115C-592(a) reads as rewritten:

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

43"

44 45 **PERMIT SEAA TO PROVIDE PAYMENTS FOR TESTS FOR OPPORTUNITY** 46 **SCHOLARSHIP RECIPIENTS USING ALTERNATIVE METHODS**

47 **SECTION 8A.4.** G.S. 115C-562.2(b5) reads as rewritten:

48 "(b5) In addition to the amount of the scholarship grant, for any student receiving a
 49 scholarship grant in grades three, eight, or 11, the Authority shall provide ~~to the nonpublic school~~
 50 for the student an amount equal to the cost of the nationally standardized test required to be
 51 administered as provided in G.S. 115C-562.5."

1
2 **CLARIFY OPPORTUNITY SCHOLARSHIP RESIDENCY REQUIREMENTS AT**
3 **TIME OF APPLICATION**

4 **SECTION 8A.5.** Part 2A of Article 39 of Chapter 115C of the General Statutes is
5 amended by adding a new section to read:

6 **"§ 115C-562.2A. Residency required at time of application.**

7 (a) Except as otherwise provided in this section, a student shall be a resident of North
8 Carolina that is eligible to attend a North Carolina public school pursuant to Article 25 of this
9 Chapter in both of the following circumstances:

10 (1) At the time the student applies to receive a scholarship grant under this Part.

11 (2) At the beginning of each school year in which the student is eligible to receive
12 scholarship grant funds.

13 (b) A student who is not a resident of North Carolina at the time the student submits an
14 application to receive a scholarship grant under this Part, either during the application period
15 established by the Authority or upon enrollment in a nonpublic school, may be eligible to receive
16 a scholarship grant prior to becoming a resident of North Carolina if all of the following apply:

17 (1) A parent or legal guardian is on active military duty and is transferred or
18 pending transfer pursuant to an official military order to a military installation
19 or reservation in the State.

20 (2) Upon request by the Authority, a parent or legal guardian provides a copy of
21 the official military order transferring to a military installation or reservation
22 located in the State.

23 (3) For the applicant to receive a scholarship grant, the parent or legal guardian
24 completes and submits the application, except that proof of residency shall not
25 be required until the parent or legal guardian transfers into North Carolina.

26 (c) A student who submits an application or enrolls in a nonpublic school pursuant to
27 subsection (b) of this section shall be permitted to receive grant funds in the first semester of the
28 school year. Thereafter, the student shall not receive a scholarship award until proof of residency
29 is provided in accordance with the requirements of the Authority."

30
31 **REVISE SCHOLARSHIPS FOR CHILDREN OF WARTIME VETERANS AND**
32 **TRANSFER ADMINISTRATION FROM THE DEPARTMENT OF MILITARY AND**
33 **VETERANS AFFAIRS TO THE STATE EDUCATION ASSISTANCE AUTHORITY**

34 **SECTION 8A.6.(a)** For purposes of subsection (b) of this section, the following
35 definitions shall apply:

36 (1) Authority. – The State Education Assistance Authority.

37 (2) Commission. – The Veterans' Affairs Commission of the Department.

38 (3) Department. – The Department of Military and Veterans Affairs.

39 (4) Scholarship funds. – Scholarship funds awarded to the child of a North
40 Carolina veteran under Part 2 of Article 14 of Chapter 143B of the General
41 Statutes.

42 **SECTION 8A.6.(b)** Notwithstanding Part 2 of Article 14 of Chapter 143B of the
43 General Statutes, for the 2025-2026 academic year, the following shall occur relating to the
44 administration of scholarship funds:

45 (1) After the selection of persons by the Commission to receive scholarship funds,
46 and in no event later than May 15, 2026, the Commission shall notify the
47 Authority of all selections, and the Department shall notify the Authority of
48 any determinations that a student qualifies for a scholarship funded with
49 monies from the Escheat Fund.

50 (2) The Authority shall determine whether additional recipients of scholarship
51 funds qualify for scholarships funded with monies from the Escheat Fund

1 based on a determination of need consistent with other financial assistance
2 programs administered by the Authority.

3 (3) To the extent funds made available for the award of scholarship funds are
4 insufficient to provide scholarships to all selected persons, the Authority may
5 adjust and standardize award amounts as necessary, including providing pro
6 rata scholarship awards for room and board, to ensure the efficient
7 administration of the scholarship funds.

8 (4) The Authority alone shall notify all recipients of their selection to receive
9 scholarship funds in accordance with Part 2 of Article 14 of Chapter 143B of
10 the General Statutes. The Department shall not notify any student that he or
11 she is selected to receive scholarship funds in any way, including directly
12 through an award letter or through any other method.

13 (5) The Authority shall disburse scholarship funds in accordance with
14 G.S. 116-204(11a).

15 (6) From the funds appropriated from the General Fund to the Board of Governors
16 of The University of North Carolina and allocated to the Authority in the
17 2025-2026 fiscal year to support the award of scholarship funds, the Authority
18 may use up to two and one-half percent (2.5%) for administration costs.

19 **SECTION 8A.6.(c)** The following are repealed:

20 (1) G.S. 143B-1211(11).

21 (2) G.S. 143B-1220(3).

22 (3) G.S. 143B-1223 through G.S. 143B-1228.

23 **SECTION 8A.6.(d)** Article 23 of Chapter 116 of the General Statutes is amended
24 by adding the following new Part to read:

25 "Part 8. Children of Wartime Veterans Scholarship.

26 **"§ 116-209.110. Purpose.**

27 In appreciation for the service and sacrifices of North Carolina's war veterans and as evidence
28 of this State's concern for their children, there is established the Children of Wartime Veterans
29 Scholarship Program to be administered by the State Education Assistance Authority.

30 **"§ 116-209.112. Definitions.**

31 The following definitions shall apply in this Part:

32 (1) Active federal service. – One of the following:

33 a. Full-time duty in the Armed Forces other than active duty for training.

34 b. Active duty for training, if disability or death occurs (i) as a direct
35 result of armed conflict or (ii) while engaged in extra-hazardous
36 service, including such service under conditions simulating war.

37 (2) Armed Forces. – The United States Army, Navy, Marine Corps, Air Force,
38 Space Force, and Coast Guard, including their reserve components.

39 (3) Authority. – The State Education Assistance Authority established pursuant
40 to Article 23 of Chapter 116 of the General Statutes.

41 (4) Eligible child. – A person who meets all of the following criteria:

42 a. Is under 25 years of age at the time of application for a scholarship.

43 b. Qualifies as a resident for tuition purposes under the criteria set forth
44 in G.S. 116-143.1 and in accordance with the coordinated and
45 centralized residency determination process administered by the
46 Authority.

47 c. Holds a high school diploma or its equivalent.

48 d. Is the child of a veteran who meets one of the following criteria:

49 1. Is a resident of North Carolina at the time of scholarship
50 documentation completion.

- 1 2. Was a resident of North Carolina at the time of entrance into
2 service in the Armed Forces.
3 3. Was permanently stationed in North Carolina at the time of his
4 or her death.
5 4. Is an active duty service member permanently stationed in
6 North Carolina at the time of documentation completion.
7 e. Submits a completed Free Application for Federal Student Aid
8 (FAFSA) to the Authority.
9 (5) Eligible institution. – A State educational institution or a private educational
10 institution.
11 (6) Period of war or wartime. – Any of the periods or circumstances described
12 below:
13 a. Any period of war as defined in 38 U.S.C. § 101.
14 b. Any period of service in the Armed Forces during which the veteran
15 parent of an applicant for a scholarship under this Part suffered death
16 or disability (i) as a direct result of armed conflict or (ii) while engaged
17 in extra-hazardous service, including such service under conditions
18 simulating war.
19 (7) Private educational institution. – An eligible private postsecondary institution
20 that meets the criteria of G.S. 116-280(3), except for G.S. 116-280(3)a.3. if
21 applicable.
22 (8) Program. – The Children of Wartime Veterans Scholarship Program
23 established by this Part.
24 (9) State educational institution. – Any constituent institution of The University
25 of North Carolina, or any community college operated under the provisions of
26 Chapter 115D of the General Statutes of North Carolina.
27 (10) Veteran. – Either of the following:
28 a. A person who served as a member of the Armed Forces in active
29 federal service during a period of war and who was either separated
30 from the Armed Forces under honorable conditions or who is currently
31 serving in a second or subsequent enlistment.
32 b. A person who was separated from the Armed Forces under honorable
33 conditions and whose death or disability was incurred (i) as a direct
34 result of armed conflict or (ii) while engaged in extra-hazardous
35 service, including such service under conditions simulating war.

36 **§ 116-209.114. Scholarship.**

37 (a) Scholarship Benefits. – A scholarship granted pursuant to this Part shall consist of the
38 following benefits and other requirements and limitations for eligible children enrolled as
39 undergraduate students at eligible institutions:

- 40 (1) Scholarship funds may be used for any of the following purposes:
41 a. The cost of attendance at an eligible institution, including tuition, fees,
42 room, and board.
43 b. The cost of short-term workforce training courses leading to industry
44 credentials.
45 (2) An eligible child shall only receive one scholarship under this Part. The award
46 shall be for up to four academic years, which need not be consecutive.
47 (3) No educational assistance shall be afforded to an eligible child under this Part
48 after the end of a six-year period beginning on the date the scholarship is first
49 awarded. Whenever an eligible child is enrolled in an eligible institution and
50 the period for a scholarship ends while enrolled in a term, quarter, or semester,

1 such period shall be extended to the end of such term, quarter, or semester,
2 but not beyond the eligibility limitation of four academic years.

3 (4) No scholarship awarded to an eligible child pursuant to this Part shall exceed
4 an amount equal to the highest cost of attendance for attendance at a State
5 educational institution for that academic year.

6 (5) If a student also receives a scholarship or other grant covering the
7 tuition-specific cost of attendance at the eligible institution for which the
8 scholarship is awarded, then the amount of the scholarship awarded under this
9 Part shall be reduced by an appropriate amount determined by the Authority.
10 The scholarship shall be reduced so that the sum of all grants and scholarship
11 aid covering the cost of attendance received by the student, including the
12 scholarship under this section, shall not exceed the cost of attendance for the
13 eligible institution at which the student is enrolled.

14 (6) A student who has been awarded a scholarship under this section shall
15 maintain satisfactory academic progress according to the standards of the
16 eligible institution throughout the four academic years for which the student
17 is eligible for a scholarship under this section.

18 (b) Selection of Recipients. – The Authority shall select recipients for scholarships and
19 disburse the scholarships in accordance with the provisions of G.S. 116-209.116. The Authority
20 may contract with another State agency or a third-party entity to determine eligibility and select
21 recipients as required by G.S. 116-209.116(a)(1). In the event there are not sufficient funds to
22 provide each eligible child who has properly applied with a full scholarship as provided by this
23 Part, each eligible child shall receive a pro rata share of funds available for the academic year.

24 (c) Award of Funds; Priority. – Beginning May 1 of the year in which the recipient enrolls
25 in an eligible institution, the Authority shall begin awarding scholarship funds to students who
26 have properly applied in the following order:

27 (1) Students who received scholarship funds under Part 2 of Article 14 of Chapter
28 143B of the General Statutes in the previous academic year.

29 (2) Students who received scholarship funds under Part 2 of Article 14 of Chapter
30 143B of the General Statutes in any previous academic year.

31 (3) All other students.

32 **"§ 116-209.116. Administration and funding.**

33 (a) Responsibilities of the Authority. – The Authority shall administer the award of
34 scholarships under this Part and have all of the following associated responsibilities:

35 (1) Determining the eligibility of applicants and selecting recipients.

36 (2) Awarding funds to scholarship recipients.

37 (3) Suspending or revoking scholarships if the Authority finds that a recipient
38 does any of the following:

39 a. Does not maintain satisfactory academic progress.

40 b. Engages in riots, unlawful demonstrations, the seizure of educational
41 buildings, or otherwise engages in disorderly conduct, breaches of the
42 peace or unlawful assemblies.

43 (4) Promulgating such rules and regulations not inconsistent with the other
44 provisions of this Part as the Authority deems necessary for the orderly
45 administration of the Program. These rules may require eligible institutions to
46 provide such reports and other information as are necessary to carry out the
47 provisions of this Part, including whether a recipient is not maintaining
48 satisfactory academic progress or engaging in any of the actions described in
49 sub-subdivision b. of subdivision (3) of this subsection.

50 (b) Funding. – Funds for the support of the Program shall be appropriated to the Board
51 of Governors of The University of North Carolina to be allocated to the Authority as a reserve

1 for payment of approved expenses for the cost of attendance. Funds to support the Program shall
 2 be supported by receipts from the Escheat Fund, as provided by G.S. 116B-7, to the extent those
 3 funds are used for worthy and needy residents of this State who are enrolled in public institutions
 4 of higher education of this State.

5 (c) Withdrawal from Enrollment. – Irrespective of any other provision of this Part, the
 6 Authority may prescribe special procedures for adjusting the accounts of scholarship recipients
 7 who, for reasons of illness, physical inability to attend class, or for other valid reason satisfactory
 8 to the Authority may withdraw from eligible institutions prior to the completion of the term,
 9 semester, quarter, or other academic period being attended at the time of withdrawal. Such
 10 procedures may include, but shall not be limited to, permitting an eligible institution to pay the
 11 recipient the dollar value of his or her unused scholarship for the academic period being attended,
 12 with a corresponding deduction of this period from his or her remaining scholarship eligibility
 13 time.

14 (d) Administrative Costs. – Of the funds available each fiscal year to support the
 15 Program, the following shall occur:

16 (1) The Authority may use up to two and one-half percent (2.5%) for
 17 administrative costs related to the Program.

18 (2) Up to five million dollars (\$5,000,000) that are unexpended at the end of each
 19 fiscal year shall not revert but shall remain available for future scholarships to
 20 be awarded under this Part.

21 "**§ 116-209.118. Report on scholarships.**

22 By January 1 of each year, the Authority shall report the following information related to
 23 scholarships awarded under this Part to the Joint Legislative Education Oversight Committee and
 24 the Fiscal Research Division:

25 (1) A description of the Program by year, including statutory establishment,
 26 purpose, and eligibility.

27 (2) The number of scholarships awarded in the prior academic year, disaggregated
 28 on the basis of at least the following:

29 a. Number of full-time students receiving scholarships, grouped by
 30 public, private, and community colleges.

31 b. Number of new applicants for scholarships.

32 c. Number of new scholarship awards offered, denied, and accepted.

33 d. Range and average amount of scholarships awarded.

34 e. Actual amount of award provided by eligible institution.

35 f. Total expenditures for scholarship awards classified by source,
 36 including State funds and Escheat Fund.

37 g. Total costs of administering the Program.

38 (3) The amount of funds held in reserve by the Authority for the award of
 39 scholarships under the Program at the end of the prior fiscal year."

40 **SECTION 8A.6.(e)** G.S. 116-204 reads as rewritten:

41 "**§ 116-204. Powers of Authority.**

42 The Authority is hereby authorized and empowered:

43 ...

44 (11a) ~~To be responsible for the disbursement and accounting of funds for the State's~~
 45 ~~Scholarships for Children of Wartime Veterans established by Part 2 of Article~~
 46 ~~14 of Chapter 143B of the General Statutes administer the Children of~~
 47 ~~Wartime Veterans Scholarship established by Part 8 of Article 23 of this~~
 48 ~~Chapter.~~

49"

50 **SECTION 8A.6.(f)** G.S. 116-209.23 reads as rewritten:

51 "**§ 116-209.23. Inconsistent laws inapplicable.**

1 Insofar as the provisions of this Article are inconsistent with the provisions of any general or
2 special laws, or parts thereof, the provisions of this Article shall be ~~controlling, except that no~~
3 ~~provision of the 1971 amendments to this Article shall apply to scholarships for children of war~~
4 ~~veterans as set forth in Part 2 of Article 14 of Chapter 143B of the General Statutes, as~~
5 ~~amended-controlling."~~

6 **SECTION 8A.6.(g)** G.S. 116B-7(b) reads as rewritten:

7 "(b) An amount specified in the Current Operations Appropriations Act shall be
8 transferred annually from the Escheat Fund to the Board of Governors of The University of North
9 Carolina to be allocated to the State Education Assistance Authority to partially fund the ~~program~~
10 ~~of Scholarships for Children of War Veterans established by Part 2 of Article 14 of Chapter 143B~~
11 ~~of the General Statutes.~~ Children of Wartime Veterans Scholarship established by Part 8 of
12 Article 23 of Chapter 116 of the General Statutes. Those funds may be used only for residents of
13 this State who (i) are worthy and needy as determined by the ~~Department of Military and Veterans~~
14 ~~Affairs Authority~~ and (ii) are enrolled in public institutions of higher education of this State."

15 **SECTION 8A.6.(h)** G.S. 116-209.124(4), as enacted by Section 8A.9 of this act,
16 reads as rewritten:

17 "(4) Eligible postsecondary institution. – Any of the following postsecondary
18 educational institutions:

- 19 a. A constituent institution of The University of North Carolina.
- 20 b. A community college under the jurisdiction of the State Board of
21 Community Colleges.
- 22 c. ~~A private educational institution as defined in G.S. 143B 1224.~~ An
23 eligible private postsecondary institution that meets the criteria of
24 G.S. 116-280(3), except for G.S. 116-280(3)a.3. if applicable.
- 25 d. A private vocational institution, including Federal Aviation
26 Administration certificated aviation training programs."

27 **SECTION 8A.6.(i)** Notwithstanding Part 8 of Article 23 of Chapter 116 of the
28 General Statutes, as enacted by this section, the following shall apply for any student who
29 received an award of scholarship funds under Part 2 of Article 14 of Chapter 143B of the General
30 Statutes in a previous academic year who would be eligible to receive funds under Part 2 of
31 Article 14 of Chapter 143B of the General Statutes, as that Part existed immediately prior to its
32 repeal, beginning in the 2026-2027 academic year:

- 33 (1) The student shall be considered an "eligible child" under G.S. 116-209.112(4).
- 34 (2) The student shall receive at least the amount of scholarship funds the student
35 received under Part 2 of Article 14 of Chapter 143B of the General Statutes.

36 **SECTION 8A.6.(j)** Subsections (c), (d), (e), (f), (g), (h), and (i) of this section
37 become effective July 1, 2026, and apply beginning with the award of scholarship funds in the
38 2026-2027 academic year. Except as otherwise provided, this section becomes effective July 1,
39 2025.

40
41 **SEAA MAY REALLOCATE UNENCUMBERED FUNDS FROM PRIVATE**
42 **NEED-BASED SCHOLARSHIPS TO PROVIDE FUNDS FOR SPRING 2025**
43 **AWARDS FOR CHILDREN OF WARTIME VETERANS SCHOLARSHIPS**

44 **SECTION 8A.7.** Notwithstanding G.S. 116-283(c), of the funds appropriated to the
45 Board of Governors of The University of North Carolina and allocated to the State Education
46 Assistance Authority for need-based scholarships for students attending private institutions of
47 higher education in accordance with Article 34 of Chapter 116 of the General Statutes that are
48 unexpended at the end of the 2024-2025 fiscal year, the Authority may reallocate up to two
49 million one hundred thousand dollars (\$2,100,000) in nonrecurring funds for the 2025-2026
50 fiscal year to instead support scholarships for children of wartime veterans that were awarded in

1 the spring 2025 academic semester in accordance with Part 2 of Article 14 of Chapter 143B of
2 the General Statutes.

3
4 **REQUIRE SEAA TO PROVIDE TESTING COSTS FOR PESA RECIPIENTS**

5 **SECTION 8A.8.** G.S. 115C-592 is amended by adding the following new subsection
6 to read:

7 "(c1) Test Costs. – In addition to the amount of the scholarship award, for any student
8 receiving a scholarship award in grades three, eight, or 11 and upon the request of the parent of
9 that student, the Authority shall provide for the student an amount equal to the cost of the
10 nationally standardized test required to be administered as provided in G.S. 115C-562.5."

11
12 **CODIFY NORTH CAROLINA PATRIOT STAR FAMILY SCHOLARSHIP PROGRAM**

13 **SECTION 8A.9.(a)** Article 23 of Chapter 116 of the General Statutes is amended by
14 adding the following new Part to read:

15 "Part 9. North Carolina Patriot Star Family Scholarship Program.

16 "**§ 116-209.120. Program established.**

17 The Board of Governors of The University of North Carolina shall establish the North
18 Carolina Patriot Star Family Scholarship Program. To the extent funds are made available for the
19 Program, the Board shall award funds for the purpose of administering scholarships under the
20 Program to (i) the Patriot Foundation, a nonprofit corporation, and (ii) the Marine Corps
21 Scholarship Foundation, Inc., a nonprofit corporation.

22 "**§ 116-209.122. Purpose of the Program.**

23 The Patriot Foundation and the Marine Corps Scholarship Foundation, Inc., respectively,
24 shall provide for scholarships to eligible children and eligible spouses of certain veterans, eligible
25 children of certain currently serving members of the Armed Forces, and eligible disabled veterans
26 to attend eligible postsecondary institutions in accordance with the requirements of this Part.

27 "**§ 116-209.124. Definitions.**

28 For the purposes of this Part, the following definitions shall apply:

- 29 (1) Armed Forces. – A component of the United States Army, Navy, Marine
30 Corps, Air Force, Space Force, and Coast Guard, including their reserve
31 components.
- 32 (2) Eligible child or eligible children. – Any person who meets all of the following
33 requirements:
- 34 a. Is attending or has been accepted to enroll in an eligible postsecondary
35 institution.
- 36 b. Is a legal resident of North Carolina when scholarship documentation
37 is completed, provided that if a child is claimed as a dependent by the
38 child's parent, residency may be established based on a parent meeting
39 the requirements of sub-sub-sub-subdivision IV. of
40 sub-sub-subdivision 1. of sub-subdivision d. of this subdivision.
- 41 c. Has complied with the requirements of the Selective Service System,
42 if applicable.
- 43 d. The parent of the person is a veteran or a currently serving member of
44 the Armed Forces that meets all of the following criteria:
- 45 1. One of the following residency conditions:
- 46 I. Is a resident of North Carolina at the time of
47 scholarship documentation completion.
- 48 II. Was a resident of North Carolina at the time of entrance
49 into service in the Armed Forces.
- 50 III. Was permanently stationed in North Carolina at the
51 time of his or her death.

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- IV. Is an active duty service member permanently stationed in North Carolina at the time of documentation completion.
 - 2. One of the following service conditions:
 - I. Was a member of the Armed Forces who was killed in action or in the line of duty or died of wounds or other causes not due to the service member's willful misconduct during a period of war, national emergency, or training in preparation for future conflicts and is a direct result of service in the line of duty.
 - II. Was a member of the Armed Forces who died of service-connected injuries, wounds, illness, or other causes incurred or aggravated while a member of the Armed Forces during a period of war, national emergency, or training in preparation for future conflicts and is a direct result of service in the line of duty. Standard documentation of the parent's death, wounds, injury, or illness shall be supplied by a scholarship recipient at the time of scholarship request.
 - III. Is a veteran of the Armed Forces who meets both of the following criteria:
 - A. 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 the injuries, wounds, or illness are a direct result of service in the line of duty.
 - B. Is receiving compensation of at least fifty percent (50%) as rated by the U.S. Department of Veterans 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.
 - IV. 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 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 meets all of the following criteria:
 - a. Is a parent of an eligible child pursuant to sub-sub-sub-subdivision III. of sub-sub-subdivision 2. of sub-subdivision d. of subdivision (2) of this subsection.
 - b. Is a resident of North Carolina when scholarship documentation is completed.

- 1 c. Is attending or has been accepted to enroll in an eligible postsecondary
2 institution.
- 3 (4) Eligible postsecondary institution. – Any of the following postsecondary
4 educational institutions:
- 5 a. A constituent institution of The University of North Carolina.
6 b. A community college under the jurisdiction of the State Board of
7 Community Colleges.
- 8 c. A private educational institution as defined in G.S. 143B-1224.
9 d. A private vocational institution, including Federal Aviation
10 Administration certificated aviation training programs.
- 11 (5) Eligible spouse. – Any person who meets all of the following criteria:
- 12 a. Is attending or has been accepted to enroll in an eligible postsecondary
13 institution.
- 14 b. Is a legal resident of North Carolina when scholarship documentation
15 is completed.
- 16 c. Has complied with the requirements of the Selective Service System,
17 if applicable.
- 18 d. Meets one of the conditions set forth in sub-sub-sub-subdivisions I.
19 through III. of sub-sub-subdivision 2. of sub-subdivision d. of
20 subdivision (2) of this subsection.
- 21 (6) Program. – The North Carolina Patriot Star Family Scholarship Program
22 established pursuant to G.S. 116-209.122.
- 23 (7) Veteran. – An individual who has served and is no longer serving in the Armed
24 Forces of the United States. For the purposes of this subdivision, the veteran
25 shall have separated from the Armed Forces under honorable conditions or
26 whose death or disability of at least fifty percent (50%) or more was incurred
27 as a direct result of service in the line of duty.

28 "**§ 116-209.126. Administration; awards.**

29 (a) To the extent funds are made available for the Program, the Patriot Foundation and
30 the Marine Corps Scholarship Foundation, Inc., shall each separately administer and award
31 scholarships to eligible applicants in accordance with the requirements of the Program. In
32 administering the Program, each nonprofit corporation shall be responsible for oversight for the
33 scholarships awarded through its organization under the Program to ensure compliance with the
34 provisions of this Part.

35 (b) Each nonprofit corporation shall, at a minimum, establish criteria and procedures
36 related to scholarship documentation completion, the amount of individual scholarships, the
37 permissible uses of scholarship funds, the period of eligibility for award of a scholarship, the
38 conditions for a revocation of a scholarship, and any other procedures it deems necessary for its
39 administration of the Program.

40 (c) If an eligible child or eligible spouse receives a scholarship or other grant covering
41 the costs of attendance at an eligible postsecondary institution for which the scholarship is
42 awarded, then the amount of a scholarship awarded under this Part shall be reduced so that the
43 sum of all grants and scholarships covering the costs of attendance received by the eligible child
44 or eligible spouse does not exceed the costs of attendance for the institution. For the purposes of
45 this section, costs of attendance shall include monies for tuition, fees, books, supplies, and
46 school-related expenses, including laptops, equipment, tutoring support, as well as room and
47 board, as long as the scholarship recipient is enrolled as at least a half-time student at the
48 institution. Off-campus housing costs for room and board are also included to the extent the
49 eligible postsecondary institution includes it in its costs of attendance.

50 "**§ 116-209.128. Reporting.**

1 (a) The Patriot Foundation shall submit a report by April 1 of each year in which the
 2 Patriot Foundation spends State funds made available for the Program to the Joint Legislative
 3 Education Oversight Committee and the Fiscal Research Division on the activities related to the
 4 Program and the use of the State funds.

5 (b) The Marine Corps Scholarship Foundation, Inc., shall submit a report by April 1 of
 6 each year in which the Marine Corps Scholarship Foundation, Inc., spends State funds made
 7 available for the Program to the Joint Legislative Education Oversight Committee and the Fiscal
 8 Research Division on the activities related to the Program and the use of the State funds."

9 **SECTION 8A.9.(b)** Notwithstanding any other provision of law or the Committee
 10 Report described in Section 43.2 of S.L. 2021-180, the recurring funds appropriated to the Board
 11 of Governors of The University of North Carolina and allocated to the Patriot Foundation and
 12 the Marine Corps Scholarship Foundation, Inc., to administer the North Carolina Patriot Star
 13 Family Scholarship Program pursuant to Section 8.3 of S.L. 2021-180, as amended by Section
 14 2.8 of S.L. 2022-6, shall instead be used to administer the North Carolina Patriot Star Family
 15 Scholarship Program pursuant to Part 9 of Article 23 of Chapter 116 of the General Statutes, as
 16 enacted by this section.

17 **SECTION 8A.9.(c)** Section 8.3 of S.L. 2021-180, as amended by Section 2.8(a) of
 18 S.L. 2022-6, is repealed.

19 **SECTION 8A.9.(d)** Subsections (a) and (b) of this section apply beginning with the
 20 2025-2026 academic year.

21
 22 **REVISE NEED-BASED SCHOLARSHIP FOR PRIVATE COLLEGES AND**
 23 **UNIVERSITIES**

24 **SECTION 8A.10.(a)** G.S. 116-280 reads as rewritten:

25 **"§ 116-280. Definitions.**

26 The following definitions apply to this Article:

27 ...

28 (3) Eligible private postsecondary institution. – A school that is any of the
 29 following:

30 a. A nonprofit postsecondary educational institution with a main
 31 permanent campus located in this State that is not owned or operated
 32 by the State of North Carolina or by an agency or political subdivision
 33 of the State or by any combination thereof that satisfies all of the
 34 following:

35 1. Is either (i) accredited by a regional accrediting agency, as
 36 defined in G.S. 115D-6.2 and G.S. 116-11.4, or the
 37 Transnational Association of Christian Colleges and Schools
 38 or (ii) was accredited by SACSCOC on January 1, 2021, and,
 39 beginning January 1, 2021, was a member of the Transnational
 40 Association of Christian Colleges and Schools.

41 2. Awards a postsecondary degree as defined in G.S. 116-15.

42 3. Held institutional endowment funds with a total value of equal
 43 to or less than the sum of one billion dollars (\$1,000,000,000)
 44 on August 1, 2022.

45 a1. A postsecondary educational institution with a physical location in this
 46 State that is not owned or operated by the State of North Carolina or
 47 an agency or political subdivision of the State or by any combination
 48 thereof that satisfies all of the following:

49 1. Is accredited by the Southern Association of Colleges and
 50 Schools Commission on Colleges (SACSCOC) and designated
 51 by the SACSCOC as a level VI degree-granting institution.

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2. Awards a postsecondary degree as defined in G.S. 116-15.

b. A postsecondary institution owned or operated by a hospital authority as defined in G.S. 131E-16(14) or school of nursing affiliated with a nonprofit postsecondary educational institution as defined in sub-subdivision a. of this subsection.

(4) Main permanent campus. – A campus owned by the eligible private postsecondary institution that provides permanent on-premises housing, food services, and classrooms with full-time faculty members and administration that engages in postsecondary degree activity as defined in G.S. 116-15.

...

(5a) Physical location. – A facility or campus owned by an eligible private postsecondary institution that provides permanent classrooms with full-time faculty members and administration that engages in postsecondary degree activity as defined in G.S. 116-15.

...."

SECTION 8A.10.(b) G.S. 116-283 reads as rewritten:

"§ 116-283. Administration; some unexpended scholarship funds do not revert.

...

(c) ~~Scholarship~~ Up to five million dollars (\$5,000,000) in scholarship funds unexpended at the end of each fiscal year shall remain available for future scholarships to be awarded under this Article."

SECTION 8A.10.(c) G.S. 116-209.100(1)c. reads as rewritten:

"c. ~~A nonprofit~~ An eligible private postsecondary institution as defined in G.S. 116-280(3)."

SECTION 8A.10.(d) G.S. 116-209.45(b)(1a)g. reads as rewritten:

"g. ~~An eligible private postsecondary institution as defined in G.S. 116-280(3).~~ An eligible private postsecondary institution that meets the criteria of G.S. 116-280(3), except for G.S. 116-280(3)a.3. if applicable."

SECTION 8A.10.(e) G.S. 116-209.100(1)c. reads as rewritten:

"c. ~~A nonprofit postsecondary institution as defined in G.S. 116-280(3).~~ An eligible private postsecondary institution that meets the criteria of G.S. 116-280(3), except for G.S. 116-280(3)a.3. if applicable."

SECTION 8A.10.(f) Subsection (b) of this section becomes effective July 1, 2025.

Except as otherwise provided, this section is effective when it becomes law. This section applies beginning with scholarships awarded in the 2025-2026 academic year.

PART IX. HEALTH AND HUMAN SERVICES

PART IX-A. AGING [RESERVED]

PART IX-B. CENTRAL MANAGEMENT AND SUPPORT

REPORTS BY NON-STATE ENTITIES ON THE USE OF DIRECTED GRANT FUNDS

SECTION 9B.1. The Department of Health and Human Services shall submit to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division all reports received under 9 NCAC 03M .0205 from non-State entities, as defined in G.S. 143C-1-1, that are recipients of nonrecurring funds allocated in this Part as a directed grant according to the following schedule:

- 1 (1) By November 1, 2026, all reports on the use of directed grant funds received
2 under this Part for the 2025-2026 fiscal year.
- 3 (2) By November 1, 2027, all reports on the use of directed grant funds received
4 under this Part for the 2026-2027 fiscal year.

6 COMMUNITY HEALTH GRANT PROGRAM

7 **SECTION 9B.2.(a)** Funds appropriated in this act to the Department of Health and
8 Human Services, Division of Central Management, Office of Rural Health, for each year of the
9 2025-2027 fiscal biennium for the Community Health Grant Program shall be used to continue
10 to administer the Community Health Grant Program as modified by Section 11A.8 of S.L.
11 2017-57.

12 **SECTION 9B.2.(b)** The Office of Rural Health shall make the final decision about
13 awarding grants under this Program, but no single grant award shall exceed one hundred fifty
14 thousand dollars (\$150,000) during the fiscal year. In awarding grants, the Office of Rural Health
15 shall consider the availability of other funds for the applicant; the incidence of poverty in the area
16 served by the applicant or the number of indigent clients served by the applicant; the availability
17 of, or arrangements for, after-hours care; and collaboration between the applicant and a
18 community hospital or other safety net organizations.

19 **SECTION 9B.2.(c)** Grant recipients shall not use these funds to do any of the
20 following:

- 21 (1) Enhance or increase compensation or other benefits of personnel,
22 administrators, directors, consultants, or any other persons receiving funds for
23 program administration; provided, however, funds may be used to hire or
24 retain health care providers. The use of grant funds for this purpose does not
25 obligate the Department of Health and Human Services to continue to fund
26 compensation beyond the grant period.
- 27 (2) Supplant existing funds, including federal funds traditionally received by
28 federally qualified community health centers. However, grant funds may be
29 used to supplement existing programs that serve the purposes described in
30 subsection (a) of this section.
- 31 (3) Finance or satisfy any existing debt.

32 **SECTION 9B.2.(d)** The Office of Rural Health may use up to two hundred thousand
33 dollars (\$200,000) of these recurring funds for each year of the 2025-2027 fiscal biennium for
34 administrative purposes.

35 **SECTION 9B.2.(e)** By September 1 of each year, the Office of Rural Health shall
36 submit a report to the Joint Legislative Oversight Committee on Health and Human Services on
37 community health grants that includes at least all of the following information:

- 38 (1) The identity and a brief description of each grantee and each program or
39 service offered by the grantee.
- 40 (2) The amount of funding awarded to each grantee.
- 41 (3) The number of individuals served by each grantee and, for the individuals
42 served, the types of services provided to each.
- 43 (4) Any other information requested by the Office of Rural Health as necessary
44 for evaluating the success of the Community Health Grant Program.

46 HEALTH INFORMATION EXCHANGE ACT REVISIONS

47 **SECTION 9B.3.(a)** Article 29B of Chapter 90 of the General Statutes reads as
48 rewritten:

49 "Article 29B.

50 "Statewide Health Information Exchange Act.

51 "§ 90-414.1. Title.

1 This ~~act~~ Article shall be known and may be cited as the "Statewide Health Information
2 Exchange Act."

3 **"§ 90-414.2. Purpose.**

4 This Article is intended to improve the quality of health care delivery within this State by
5 facilitating and regulating the use of a voluntary, statewide health information exchange network
6 for the secure electronic transmission of individually identifiable health information among
7 health care providers, health plans, ~~and health care clearinghouses-clearinghouses,~~ and the State
8 in a manner that is consistent with the Health Insurance Portability and Accountability Act,
9 Privacy Rule and Security Rule, 45 C.F.R. §§ 160, 164.

10 **"§ 90-414.3. Definitions.**

11 The following definitions apply in this Article:

- 12 (1) Annual compliance report. – The annual report required by G.S. 90-414.13.
13 (1a) Business associate. – As defined in 45 C.F.R. § 160.103.
14 (2) Business associate contract. – The documentation required by 45 C.F.R. §
15 164.502(e)(2) that meets the applicable requirements of 45 C.F.R. §
16 164.504(e).
17 (3) Covered entity. – Any entity described in 45 C.F.R. § 160.103 or any other
18 facility or practitioner licensed by the State to provide health care services.
19 (3a) Data transfer systems. – Electronic systems or platforms that (i) facilitate the
20 submission of any combination of clinical, demographic, or claims data to the
21 HIE Network and (ii) are maintained, controlled, directed, or licensed by, or
22 on behalf of, a covered entity or hybrid entity subject to this Article. Data
23 transfer systems may be comprised of health information technology or claims
24 processing technology, or both, including hardware, software, integrated
25 technologies and related licenses, or packaged solutions sold as services. Data
26 transfer systems include, but are not limited to, electronic systems or platforms
27 related to electronic health records, pharmacy benefits and claims, claims
28 processing, or care management. Data transfer systems do not include any
29 information technology systems that are directly maintained, controlled, or
30 licensed by the State Health Plan for Teachers and State Employees.
31 (4) Department. – North Carolina Department of Health and Human Services.
32 (5) Disclose or disclosure. – The release, transfer, provision of access to, or
33 divulging in any other manner an individual's protected health information
34 through the HIE Network.
35 (6) Repealed by Session Laws 2017-57, s. 11A.5(f), effective July 1, 2017.
36 (7) GDAC. – The North Carolina Government Data Analytics Center.
37 (8) HIE Network. – The voluntary, statewide health information exchange
38 ~~network-network,~~ which is a health data utility overseen and administered by
39 the Authority.
40 (9) HIPAA. – Sections 261 through 264 of the federal Health Insurance
41 Portability and Accountability Act of 1996, P.L. 104-191, as amended, and
42 any federal regulations adopted to implement these sections, as amended.
43 (10) Individual. – As defined in 45 C.F.R. § 160.103.
44 (11) North Carolina Health Information Exchange Advisory Board or Advisory
45 Board. – The Advisory Board established under G.S. 90-414.8.
46 (12) North Carolina Health Information Exchange Authority or Authority. – The
47 entity established pursuant to G.S. 90-414.7.
48 (13) Opt out. – An individual's affirmative decision communicated to the Authority
49 in writing to disallow his or her protected health information from being
50 disclosed by the Authority to covered entities or other persons or entities
51 through the HIE Network.

- 1 (13a) Organization National Provider Identifier or Organization NPI. – The HIPAA
 2 Administrative Simplification Standard that utilizes a 10-position all-numeric
 3 identification number assigned by the federal National Provider System to
 4 uniquely identify a health care provider that is an entity other than an
 5 individual human being that furnishes health care.
 6 (14) Protected health information. – As defined in 45 C.F.R. § 160.103.
 7 (15) Public health purposes. – The public health activities and purposes described
 8 in 45 C.F.R. § 164.512(b).
 9 (16) Qualified organization. – An entity with which the Authority has contracted
 10 for the sole purpose of facilitating the exchange of data with or through the
 11 HIE Network.
 12 (17) Research purposes. – Research purposes referenced in and subject to the
 13 standards described in 45 C.F.R. § 164.512(i).
 14 (18) State CIO. – The State Chief Information Officer.
 15 (19) State-funded health care. – Means all of the following:
 16 a. The North Carolina Medicaid program.
 17 b. The State Health Plan for Teachers and State Employees.
 18 c. Health care facilities and health care programs administered or
 19 operated by the Department of Health and Human Services, the
 20 Department of Public Safety, or the Department of Adult Correction,
 21 and their employees, agents, or grantees.
 22 (20) State health care funds. – Monies paid to providers or entities for the provision
 23 of health care services to recipients of State-funded health care. The term
 24 includes both (i) direct payments from the State to providers and entities and
 25 (ii) payments that providers and entities receive from third parties, or the
 26 agents of third parties, that are retained by the State for the administration or
 27 delivery, or both, of State-funded health care, including prepaid health plans
 28 as defined in G.S. 108D-1 and claims processors as defined in G.S. 135-48.1.

29 **"§ 90-414.4. Required participation in HIE Network for some providers.**

- 30 (a) Findings. – The General Assembly makes the following findings:
 31 (1) That ~~controlling escalating health care costs of the Medicaid program and~~
 32 ~~other State-funded health care services~~ is of significant importance to the
 33 State, its taxpayers, its Medicaid recipients, and other ~~recipients~~ beneficiaries
 34 of State-funded health ~~care services~~ care.
 35 (2) That the State and covered entities in North Carolina need timely access to
 36 certain demographic and clinical information pertaining to services rendered
 37 to ~~Medicaid and other beneficiaries of State-funded health care program~~
 38 ~~beneficiaries~~ and paid for with ~~Medicaid or other State-funded State health~~
 39 care funds in order to assess performance, improve health care outcomes,
 40 pinpoint medical expense trends, identify beneficiary health risks, and
 41 evaluate how the State is spending money on Medicaid and other State-funded
 42 health ~~care services~~. The care. To that end, the Department of Information
 43 Technology, the Department of State Treasurer, State Health Plan Division,
 44 and the Department of Health and Human Services, Division of Health
 45 Benefits, have an affirmative duty to facilitate and support participation by
 46 covered entities in the statewide health information exchange network.
 47 (3) That making demographic and clinical information available to the State and
 48 covered entities in North Carolina by secure electronic means as set forth in
 49 subsection (b) of this section will improve care coordination within and across
 50 health systems, increase care quality for ~~such beneficiaries, beneficiaries of~~
 51 State-funded health care, enable more effective population health

1 management, reduce duplication of medical services, augment syndromic
2 surveillance, allow more accurate measurement of care services and
3 outcomes, increase strategic knowledge about the health of the population,
4 and facilitate health care cost containment.

5 (a1) Mandatory Connection to HIE Network. – Notwithstanding the voluntary nature of
6 the HIE Network under G.S. 90-414.2, the following providers and entities shall be connected to
7 the HIE Network and begin submitting data through the HIE Network pertaining to services
8 rendered to ~~Medicaid beneficiaries and to other of State-funded health care program beneficiaries~~
9 and paid for with ~~Medicaid or other State-funded State~~ health care funds in accordance with the
10 following time line:

- 11 (1) The following providers of Medicaid services licensed to operate in the State
12 that have an electronic health record system shall begin submitting, at a
13 minimum, demographic and clinical data by June 1, 2018:
- 14 a. Hospitals as defined in G.S. 131E-176(13).
 - 15 b. Physicians licensed to practice under Article 1 of ~~Chapter 90 of the~~
16 ~~General Statutes, this Chapter,~~ except for licensed physicians whose
17 primary area of practice is psychiatry.
 - 18 c. Physician assistants as defined in 21 NCAC 32S.0201.
 - 19 d. Nurse practitioners as defined in 21 NCAC 36.0801.

- 20 (2) Except as provided in subdivisions (3), (4), and (5) of this subsection, all other
21 providers of ~~Medicaid and State-funded health care services~~ and their
22 affiliated entities shall begin submitting demographic and clinical data by
23 January 1, 2023.

- 24 (3) The following entities shall submit encounter and claims data, as appropriate,
25 in accordance with the following time line:
- 26 a. Prepaid Health Plans, as defined in G.S. 108D-1, by the
27 commencement date of a capitated contract with the Division of
28 Health Benefits for the delivery of Medicaid services as specified in
29 Article 4 of Chapter 108D of the General Statutes.
 - 30 b. Local management entities/managed care organizations, as defined in
31 G.S. 122C-3, by June 1, 2020.

32 If authorized by the Authority in accordance with this Article, the Department
33 of Health and Human Services may submit the data required by this subsection
34 on behalf of the entities specified in this subdivision.

- 35 (4) The following entities shall begin submitting demographic and clinical data
36 by January 1, 2023:
- 37 a. Physicians who perform procedures at ambulatory surgical centers as
38 defined in G.S. 131E-146.
 - 39 ~~b. Dentists licensed under Article 2 of Chapter 90 of the General Statutes.~~
 - 40 c. Licensed physicians whose primary area of practice is psychiatry.
 - 41 d. The State Laboratory of Public Health operated by the Department of
42 Health and Human Services.

- 43 (5) The following entities shall begin submitting claims data by January 1, 2023:
- 44 a. Pharmacies registered with the North Carolina Board of Pharmacy
45 under Article 4A of ~~Chapter 90 of the General Statutes, this Chapter.~~
 - 46 b. State health care facilities operated under the jurisdiction of the
47 Secretary of the Department of Health and Human Services, including
48 State psychiatric hospitals, developmental centers, alcohol and drug
49 treatment centers, neuro-medical treatment centers, and residential
50 programs for children such as ~~the Wright School and the Whitaker~~
51 Psychiatric Residential Treatment Facility.

1 c. Dentists licensed under Article 2 of this Chapter.

2 ~~(a2) Extensions of Time for Establishing Connection to the HIE Network.—The~~
3 ~~Department of Information Technology, in consultation with the Department of Health and~~
4 ~~Human Services and the State Health Plan for Teachers and State Employees, may establish a~~
5 ~~process to grant limited extensions of the time for providers and entities to connect to the HIE~~
6 ~~Network and begin submitting data as required by this section upon the request of a provider or~~
7 ~~entity that demonstrates an ongoing good faith effort to take necessary steps to establish such~~
8 ~~connection and begin data submission as required by this section. The process for granting an~~
9 ~~extension of time must include a presentation by the provider or entity to the Department of~~
10 ~~Information Technology, the Department of Health and Human Services, and the State Health~~
11 ~~Plan for Teachers and State Employees on the expected time line for connecting to the HIE~~
12 ~~Network and commencing data submission as required by this section. Neither the Department~~
13 ~~of Information Technology, the Department of Health and Human Services, nor the State Health~~
14 ~~Plan for Teachers and State Employees shall grant an extension of time (i) to any provider or~~
15 ~~entity that fails to provide this information to both Departments, and the State Health Plan for~~
16 ~~Teachers and State Employees, (ii) that would result in the provider or entity connecting to the~~
17 ~~HIE Network and commencing data submission as required by this section later than January 1,~~
18 ~~2023. The Department of Information Technology shall consult with the Department of Health~~
19 ~~and Human Services and the State Health Plan for Teachers and State Employees to review and~~
20 ~~decide upon a request for an extension of time under this section within 30 days after receiving~~
21 ~~a request for an extension.~~

22 ~~(a3) Exemptions from Connecting to the HIE Network.—The Secretary of Health and~~
23 ~~Human Services, or the Secretary's designee, shall have the authority to grant exemptions to~~
24 ~~classes of providers of Medicaid and other State-funded health care services for whom acquiring~~
25 ~~and implementing an electronic health record system and connecting to the HIE Network as~~
26 ~~required by this section would constitute an undue hardship. The Secretary, or the Secretary's~~
27 ~~designee, shall promptly notify the Department of Information Technology of classes of~~
28 ~~providers granted hardship exemptions under this subsection. Neither the Secretary nor the~~
29 ~~Secretary's designee shall grant any hardship exemption that would result in any class of provider~~
30 ~~connecting to the HIE Network and submitting data later than December 31, 2022.~~

31 (a4) Connected Status. – A provider or entity identified in subsection (a1) of this section
32 is deemed connected to the HIE Network when the covered entity that provides, maintains,
33 controls, directs, or licenses that provider's or entity's data transfer system has done all of the
34 following:

- 35 (1) Established an operable technical connection with the HIE Network approved
36 by the Authority that supports the submission of required patient data
37 generated by the provider or entity.
38 (2) Provided its Organization NPI to the Authority.
39 (3) Executed with the Authority a valid, written participation agreement pursuant
40 to subdivision (b)(6) of G.S. 90-414.7.
41 (4) Communicated to the Authority, in writing, the identity of all providers and
42 entities on whose behalf it maintains a data transfer system.
43 (5) Either has met or is making reasonable efforts to meet data quality standards
44 established by the Authority that are published on its website.

45 (b) Mandatory Submission of Demographic and Clinical Data. – Notwithstanding the
46 voluntary nature of the HIE Network under G.S. 90-414.2 and, except as otherwise provided in
47 ~~subsection subsections (c) and (c1) of this section, as a condition of receiving State funds,~~
48 ~~including Medicaid funds,~~ the following entities shall submit at least twice daily, through the
49 HIE network, demographic and clinical information pertaining to services rendered to ~~Medicaid~~
50 ~~and other beneficiaries of State-funded health care program beneficiaries~~ and paid for with

1 ~~Medicaid or other State-funded State~~ health care funds, solely for the purposes set forth in
2 subsection (a) of this section:

- 3 (1) Each hospital, as defined in G.S. 131E-176(13) that has an electronic health
4 record system.
- 5 (2) Each Medicaid provider, unless the provider is an ambulatory surgical center
6 as defined in G.S. 131E-146; however, a physician who performs a procedure
7 at the ambulatory surgical center must be connected to the HIE Network.
- 8 (3) Each provider that receives State health care funds for the provision of ~~health~~
9 ~~services, State-funded health care~~, unless the provider is an ambulatory
10 surgical center as defined in G.S. 131E-146; however, a physician who
11 performs a procedure at the ambulatory surgical center must be connected to
12 the HIE Network.
- 13 (4) Each prepaid health plan, as defined in ~~G.S. 58-93-5~~, that is under a capitated
14 contract with the Department for the delivery of Medicaid services, or a local
15 management entity/managed care organization, as defined in
16 ~~G.S. 122C-3~~. G.S. 122C-3, that is under a capitated prepaid health plan
17 contract with the Department.

18 (b1) Balance Billing Prohibition. – An in-network provider or entity ~~who~~ that (i) renders
19 health care services, including prescription drugs and durable medical equipment, under a
20 contract with the State Health Plan for Teachers and State Employees and ~~who~~ (ii) is not
21 connected to the HIE Network in accordance with this Article, is prohibited from billing the State
22 Health Plan or a Plan member more than either party would be billed if the entity or provider was
23 connected to the HIE Network. Balance billing because the provider or entity did not connect to
24 the HIE Network is prohibited.

25 (c) Exemption for Certain Records. – ~~Providers with patient records that are subject to~~
26 ~~the disclosure restrictions of 42 C.F.R. § 2 are exempt from the requirements of subsection (b)~~
27 ~~of this section but only with respect to the patient records subject to these disclosure restrictions.~~
28 ~~Providers shall comply with the requirements of subsection (b) of this section with respect to all~~
29 ~~other patient records. A pharmacy shall only be~~ Pharmacies registered with the North Carolina
30 Board of Pharmacy under Article 4A of this Chapter and dentists licensed under Article 2 of this
31 Chapter are only required to submit claims data pertaining to services rendered to Medicaid and
32 other State-funded health care program beneficiaries of State-funded health care and paid for
33 with Medicaid or other State-funded State health care funds.

34 (c1) Exemption from Twice Daily Submission. – ~~A pharmacy shall only be~~ The following
35 entities are required to submit claims data only once daily through the HIE ~~Network~~ Network:

- 36 (1) Pharmacies registered with the North Carolina Board of Pharmacy under
37 Article 4A of this Chapter, using pharmacy industry standardized formats.
- 38 (2) Dentists licensed under Article 2 of this Chapter.

39 (c2) 42 C.F.R. § 2 Records. – Notwithstanding subsection (b) of this section, patient
40 records protected by 42 C.F.R. § 2 shall be disclosed through the HIE Network only if the
41 Authority has provided written notice to the participating entity that data protected by 42 C.F.R.
42 § 2 can be disclosed for a specific purpose.

43 (d) Method of Data Submissions. – ~~The~~ Any provider or entity required to submit data
44 submissions required under this section shall be make the submission by connection to the HIE
45 Network periodic asynchronous secure structured file transfer or any other secure electronic
46 means commonly used in the industry and consistent with document exchange and data
47 submission standards established by the ~~Office~~ Assistant Secretary for Technology Policy/Office
48 of the National Coordinator for Information Technology within the U.S. Department of Health
49 and Human Services.

50 (e) Voluntary Connection for Certain Providers. – Notwithstanding the mandatory
51 connection and data submission requirements in of subsections (a1) and (b) of this section, the

1 following providers of ~~Medicaid services or other State-funded health care services~~ are not
2 required to connect to the HIE Network or submit data but may connect to the HIE Network and
3 submit data voluntarily:

- 4 (1) Community-based long-term services and supports providers, including
5 personal care services, private duty nursing, home health, and hospice care
6 providers.
- 7 (2) Intellectual and developmental disability services and supports providers,
8 such as day supports and supported living providers.
- 9 (3) Community Alternatives Program waiver services (including CAP/DA,
10 CAP/C, and Innovations) providers.
- 11 (4) Eye and vision services providers.
- 12 (5) Speech, language, and hearing services providers.
- 13 (6) Occupational and physical therapy providers.
- 14 (7) Durable medical equipment providers.
- 15 (8) Nonemergency medical transportation service providers.
- 16 (9) Ambulance (emergency medical transportation service) providers.
- 17 (10) Local education agencies and agencies, school-based health
18 providers, providers, and student health centers that primarily serve students
19 matriculating at public or private institutions of higher education in this State.
- 20 (11) Chiropractors licensed under Article 8 of this Chapter.
- 21 (12) Dentists licensed under Article 2 of this Chapter.

22 Connection to the HIE Network by any other covered entities that are not required by
23 subsections (a1) and (b) of this section to connect to the HIE Network or submit data is voluntary.

24 (e1) Mandatory and Voluntary Connection and Submissions by the Same Covered Entity.
25 – A covered entity that provides, maintains, controls, directs, or licenses a data transfer system
26 on behalf of providers and entities that are required to connect to, and submit data through, the
27 HIE Network under this Article, as well as on behalf of providers and entities that voluntarily
28 connect to, and submit data through, the HIE Network may elect not to submit through the HIE
29 Network clinical, demographic, or claims data generated by the providers and entities that
30 voluntarily connect to, and submit data through, the HIE Network. However, the covered entity
31 is required to submit through the HIE Network clinical, demographic, or claims data generated
32 by providers and entities that are required to connect to, and submit data through, the HIE
33 Network.

34 (f) Confidentiality of Data. – All data submitted to or through the HIE Network
35 containing protected health information, personally identifying information, or a combination of
36 these, that are in the possession of the Department of Information Technology or any other
37 agency of the State are confidential and shall not be defined as public records under G.S. 132-1.
38 This subsection shall not be construed to prohibit the disclosure of any such data as otherwise
39 permitted under federal law.

40 (g) Time-Limited Exceptions for Connecting to, and Submitting Data Through, the HIE
41 Network. – All of the following apply to any exception granted by the Authority for connecting
42 to, and submitting data through, the HIE Network:

- 43 (1) A covered entity that provides, maintains, controls, directs, or licenses a data
44 transfer system on behalf of providers or entities identified in subsection (a1)
45 of this section may seek to obtain from the Authority a time-limited exception
46 for those providers or entities to connect to, and begin submitting required
47 data through, the HIE Network.
- 48 (2) The Authority shall administer the process by which a covered entity seeks a
49 time-limited exception for providers or entities to connect to, and begin
50 submitting required data through, the HIE Network. The Authority shall make
51 the final determination about whether to grant or deny requests for a

1 time-limited exception. Any exception authorized by the Authority may not
2 exceed a one-year period. However, a covered entity may seek to renew an
3 exception.

4 (3) In order for a covered entity to obtain a time-limited exception for the
5 providers and entities on whose behalf it provides, maintains, controls, directs,
6 or licenses a data transfer system, the covered entity must demonstrate
7 eligibility for the exception by meeting at least one of the following criteria:

8 a. During the previous year, the covered entity and the providers and
9 entities on whose behalf it maintained, controlled, directed, or licensed
10 a data transfer system received in the aggregate less than one million
11 dollars (\$1,000,000) in State health care funds for providing health
12 care services to beneficiaries of State-funded health care.

13 b. The covered entity and the providers and entities on whose behalf it
14 provides, maintains, controls, directs, or licenses a data transfer system
15 operated in whole or in part in a geographic area with limited or
16 emergent broadband availability. The Department of Information
17 Technology, Division of Broadband, shall identify these geographic
18 areas and the Authority shall publish a list of the identified geographic
19 areas to its website. Alternatively, the Authority, after consultation
20 with the Department of Information Technology, Division of
21 Broadband, may, in its discretion, grant a time-limited exception after
22 evaluating materials provided by a covered entity regarding its level
23 of broadband connectivity.

24 c. The covered entity will close, dissolve, or be acquired by another
25 entity within the next 12 months.

26 d. The provider or entity has not yet implemented or is in the process of
27 implementing a data transfer system.

28 (4) To request a time-limited exception under this subsection, the covered entity
29 shall submit to the Authority an application and attestation form, which shall
30 both be created by the Authority and made available on its website, containing
31 at least all of the following information:

32 a. Date of request and application period.

33 b. Name, Organization NPI, and location.

34 c. Names of providers and entities on whose behalf the covered entity is
35 applying, as well as their respective Organization NPIs.

36 d. Technical information regarding its data transfer system and vendor,
37 if applicable.

38 e. Provider network information for the State Health Plan for Teachers
39 and State Employees and the North Carolina Medicaid program, as
40 applicable.

41 f. Identification of the bases criterion, or criteria, in subdivision (g)(3) of
42 this section for which the covered entity seeks a time-limited
43 exception.

44 g. Supporting documents and materials determined by the Authority to
45 be necessary to substantiate the covered entity's eligibility for the
46 exception.

47 h. An attestation executed by an authorized representative of the covered
48 entity regarding the validity, truth, and completeness of the application
49 and attestation form submitted by the covered entity to the Authority.

50 ...

51 "§ 90-414.6. State ownership of HIE Network data.

1 Any data pertaining to services rendered to ~~Medicaid and other~~ beneficiaries of State-funded
 2 health care program beneficiaries that is submitted through and stored by the HIE Network
 3 pursuant to G.S. 90-414.4 or any other provision of this Article shall be and will remain the sole
 4 property of the State. Any data or product derived from the aggregated, de-identified data
 5 submitted to and stored by the HIE Network pursuant to G.S. 90-414.4 or any other provision of
 6 this Article, shall be and will remain the sole property of the State. The Authority shall not allow
 7 data it receives pursuant to G.S. 90-414.4 or any other provision of this Article to be used or
 8 disclosed by or to any person or entity for commercial purposes or for any other purpose other
 9 than those set forth in G.S. 90-414.4(a) or G.S. 90-414.2. To the extent the Authority receives
 10 requests for electronic health information as the term is defined in 45 C.F.R. § 171.102, or other
 11 medical records from an individual, an individual's personal representative, or an individual or
 12 entity purporting to act on an individual's behalf, the Authority (i) shall not fulfill the request and
 13 (ii) shall make available to the requester and the public, via the Authority's website, educational
 14 materials about how to access such information from other sources. If the Authority participates
 15 in the Trusted Exchange Framework and Common Agreement, then it may provide individual
 16 access services through the Trusted Exchange Framework and Common Agreement. Patient
 17 identifiers created and utilized by the Authority to integrate identity data in the HIE Network,
 18 along with the minimum necessary required demographic information related to those patients,
 19 shall be released to the GDAC and the Department by the Authority for purposes of entity
 20 resolution and master data management. These identifiers shall not be considered public records
 21 pursuant to Chapter 132 of the General Statutes.

22 **"§ 90-414.7. North Carolina Health Information Exchange Authority.**

23 ...

24 (b) Powers and Duties. – The Authority has the following powers and duties:

25 ...

26 (8) Following consultation with the Advisory Board, enter into, directly or
 27 through qualified organizations acting under the authority of the Authority, a
 28 HIPAA compliant business associate agreement with each of the persons or
 29 entities participating in or granted access or user rights to the HIE
 30 ~~Network.~~ Network, except for federal agencies that access the HIE Network
 31 solely to review patient data for treatment purposes and exchanges made
 32 through eHealth Exchange or the Trusted Exchange Framework and Common
 33 Agreement so long as the Authority enters into the agreements that are
 34 required to participate in each of these respective national networks.

35 ...

36 ...

37 (10) Facilitate and promote use of the HIE Network by covered ~~entities.~~ entities and
 38 business associates acting on their behalf.

39 ...

40 (18) Enforce the provisions of this Article.

41 (19) Provide data related services, as allowed by G.S. 90-414.16.

42 (20) Adopt rules as needed to implement the appeal process established by
 43 G.S. 90-414.15.

44 **"§ 90-414.8. North Carolina Health Information Exchange Advisory Board.**

45 (a) Creation and Membership. – There is hereby established the North Carolina Health
 46 Information Exchange Advisory Board within the Department of Information Technology. The
 47 Advisory Board shall consist of the following ~~12~~ 13 members:

48 (1) The following four members appointed by the President Pro Tempore of the
 49 Senate:

50 a. A licensed physician in good standing and actively practicing in this
 51 State.

- 1 b. A patient representative.
 2 c. An individual with technical expertise in health data analytics.
 3 d. A representative of a behavioral health provider.
 4 (2) The following four members appointed by the Speaker of the House of
 5 Representatives:
 6 a. A representative of a critical access hospital.
 7 b. A representative of a federally qualified health center.
 8 c. An individual with technical expertise in health information
 9 technology.
 10 d. A representative of a health system or integrated delivery network.
 11 (3) The following three ex officio, nonvoting members:
 12 a. The State Chief Information Officer or a designee.
 13 b. The Director of GDAC or a designee.
 14 c. The Secretary of Health and Human Services, or a designee.
 15 (4) The following ex officio, voting ~~member~~members:
 16 a. The Executive Administrator of the State Health Plan for Teachers and
 17 State Employees, or a designee.
 18 b. The Deputy Secretary for the State's Medicaid program, or a designee.
 19

....

20 **"§ 90-414.9. Participation by covered entities.**

- 21 (a) ~~Each~~Except for federal agencies that access the HIE Network solely to review patient
 22 data for treatment purposes, all covered entity that participates~~entities that participate~~ in the HIE
 23 Network shall enter into a HIPAA compliant business associate agreement described in
 24 G.S. 90-414.7(b)(8) and a written participation agreement described in G.S. 90-414.7(b)(6) with
 25 the Authority or qualified organization prior to submitting data through or in the HIE Network.
 26 Notwithstanding this subsection, the Authority may exchange data in the HIE Network through
 27 the national eHealth Exchange and the Trusted Exchange Framework and Common Agreement
 28 so long as the Authority enters into the agreements that are necessary to participate in each of
 29 these national networks.
 30 (b) Each covered entity that participates in the HIE Network may authorize its business
 31 associates on behalf of the covered entity to submit data through, or access data stored in, the
 32 HIE Network in accordance with this Article and at the discretion of the Authority, as provided
 33 in G.S. 90-414.7(b)(8).
 34 (c) Notwithstanding any federal or State law or regulation to the contrary, each covered
 35 entity that participates in the HIE Network may disclose an individual's protected health
 36 information through the HIE Network to other covered entities for any purpose permitted by
 37 HIPAA.

38 ...

39 **"§ 90-414.12. Penalties and remedies; immunity for covered entities and business associates
 40 for good faith participation.**

- 41 (a) Except as provided in subsection (b) of this section, a covered entity that discloses
 42 protected health information in violation of this Article is subject to the following:
 43 (1) Any civil penalty or criminal penalty, or both, that may be imposed on the
 44 covered entity pursuant to ~~the Health Information Technology for Economic
 45 and Clinical Health (HITECH) Act, P.L. 111-5, Div. A, Title XIII, section
 46 13001, as amended, and any regulations adopted under the HITECH
 47 Act.~~federal law or regulation.
 48 (2) Any civil remedy available under the HITECH Act or any regulations adopted
 49 under the HITECH Act that is available to the Attorney General or to an
 50 individual who has been harmed by a violation of this Article, including
 51 damages, penalties, attorneys' fees, and costs.federal law or regulation.

- 1 (3) Disciplinary action by the respective licensing board or regulatory agency
2 with jurisdiction over the covered entity.
- 3 (4) Any penalty authorized under Article 2A of Chapter 75 of the General Statutes
4 if the violation of this Article is also a violation of Article 2A of Chapter 75
5 of the General Statutes.
- 6 (5) Any other civil or administrative remedy available to a plaintiff by State or
7 federal law or equity.

8 (a1) In connection with the submission of the annual compliance report required by
9 G.S. 90-414.13, it is unlawful for any person or entity to knowingly present or cause to be
10 presented to the Authority a false record to avoid full payment of the State health data assessment
11 under G.S. 90-414.4. The Authority may assess against any person or entity that violates this
12 subsection a civil penalty of not less than five thousand dollars (\$5,000) and not more than ten
13 thousand dollars (\$10,000), plus three times the amount of damages sustained by the Authority
14 as a result of that person's or entity's actions. The clear proceeds of civil penalties provided for
15 in this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with
16 G.S. 115C-457.2.

17 (a2) The Authority may assess a civil penalty not to exceed fifty dollars (\$50.00) for each
18 day after the required reporting period or deadline that the annual compliance report remains out
19 of compliance with the requirements prescribed by G.S. 90-414.13.

20 (b) To the extent permitted under or consistent with federal law, a covered entity or its
21 business associate that in good faith submits data through, accesses, uses, discloses, or relies
22 upon data submitted through the HIE Network shall not be subject to criminal prosecution or
23 civil liability for damages caused by such submission, access, use, disclosure, or reliance.

24 **"§ 90-414.13. Annual compliance report.**

25 (a) Reporting Requirement. – Each covered entity that provides, maintains, controls,
26 directs, or licenses the data transfer system of a provider or entity subject to G.S. 90-414.4(a1)
27 that provides health care services to beneficiaries of State-funded health care shall submit an
28 annual compliance report to the Authority on a form created by the Authority that meets the
29 requirements of this section.

30 (b) The Authority shall develop and make available to covered entities an annual
31 compliance report form, which the Authority may update from time to time after consultation
32 with the Advisory Board. The annual compliance report form shall include fields for at least all
33 of the following information:

- 34 (1) Name of the covered entity, its location, and the Organization NPI.
- 35 (2) Names of providers and entities on whose behalf the covered entity is
36 submitting the annual compliance report, as well as their respective
37 Organization NPIs.
- 38 (3) Acknowledgment of the provision of health care services to beneficiaries of
39 State-funded health care.
- 40 (4) Status of technical connection to the HIE Network, as determined under
41 G.S. 90-414.4(a4).
- 42 (5) The status of data submission through the HIE Network that is in compliance
43 with G.S. 90-414.4.
- 44 (6) Representations regarding each of the following, as applicable:
- 45 a. For a covered entity that has executed an agreement with the
46 Authority, a representation regarding that entity's compliance with
47 such agreement.
- 48 b. For a covered entity that has received a time-limited exception from
49 the Authority, a representation regarding its present intent to connect
50 to, and begin submitting data through, the HIE Network.

1 c. For a covered entity that is required to pay the State health data
2 assessment fee authorized by G.S. 90-414.14, a representation
3 regarding the amount of the fee owed to the State, an explanation of
4 how the fee amount was calculated, and whether the fee was submitted
5 contemporaneously with the annual compliance report as required by
6 G.S. 90-414.14.

7 d. For a covered entity that asserts it is exempt from paying the annual
8 State health data assessment fee, representations regarding why it is
9 eligible to claim the exemption allowed by G.S. 90-414.14(e).

10 (7) Attestation to the completeness and validity of the annual compliance report
11 form and all representations contained on the form.

12 (c) Covered entities shall submit to the Authority all reports and related statements,
13 documents, and payments required by this section by the first of May each year. Covered entities
14 shall be deemed to have submitted timely annual compliance reports if complete reports are
15 postmarked or digitally time-stamped on or before the day the reports are due to the Authority.
16 If an annual compliance report or any related statements, documents, or payments are submitted
17 in a manner that does not comply with this section, the Authority may assess a civil penalty not
18 to exceed fifty dollars (\$50.00) for each day after the first of May that the report remains out of
19 compliance with the requirements of this section. The clear proceeds of civil penalties provided
20 for in this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance
21 with G.S. 115C-457.2.

22 (d) A covered entity that provides, maintains, controls, directs, or licenses a data transfer
23 system solely on behalf of a provider or entity that voluntarily connects to the HIE Network
24 pursuant to G.S. 90-414.4(e) is not required to submit an annual compliance report.

25 (e) State agencies are required to submit an abbreviated annual compliance report, on a
26 form provided by the Authority, that shall be made available only to State agencies.

27 (f) At the request of a covered entity, the Authority may waive any requirement in this
28 section for good cause if the covered entity demonstrates to the satisfaction of the Authority that
29 complying with a requirement in this section would cause an undue hardship.

30 (g) The Department's Division of Health Benefits shall assist in administering the annual
31 compliance report process as it pertains to the State's Medicaid providers, as determined
32 necessary by the Authority. At a minimum, the Division of Health Benefits shall annually provide
33 the Authority with a current list of enrolled Medicaid providers, assist with notifying those
34 Medicaid providers about the annual compliance report requirement and reporting deadline
35 established by this section, and provide available information requested by the Authority that is
36 necessary for the Authority to audit or verify the completeness and accuracy of an enrolled
37 Medicaid provider's annual compliance report and related materials submitted to the Authority
38 by or on behalf of that provider.

39 **"§ 90-414.14. Annual State health data assessment fee.**

40 (a) Annual Fee Requirement. – Each covered entity that provides, maintains, controls,
41 directs, or licenses a data transfer system on behalf of a provider or entity subject to the
42 mandatory connection and data submission requirements of G.S. 90-414.4 shall pay an annual
43 State health data assessment fee each year if the covered entity meets any of the following
44 criteria:

45 (1) Is not connected to the HIE Network, as determined pursuant to subsection
46 (a4) of G.S. 90-414.4.

47 (2) Is connected to the HIE Network, as determined pursuant to subsection (a4)
48 of G.S. 90-414.4 but is not submitting required data through the HIE Network.

49 (b) Amount of Annual Fee. – The General Assembly shall determine the State health data
50 assessment fee schedules for annual compliance report periods.

1 (c) Fee Due Date. – A covered entity shall pay any required State health data assessment
2 fee contemporaneously with the submission of the annual compliance report required by
3 G.S. 90-414.13.

4 (d) HIE Network Data and Participation Fund; Use of Proceeds. – The HIE Network Data
5 and Participation Fund (Fund) is established as a special fund in the Department of Information
6 Technology under the management and control of the Authority. The Fund shall consist of the
7 fees collected by the Authority pursuant to this section and all other funds received by the
8 Authority pursuant to this Article, except for the clear proceeds of civil penalties collected
9 pursuant to G.S. 90-414.12, 90-414.13, 90-414.16, and subsection (g) of this section. The Fund
10 shall be placed in an interest-bearing account, and any interest or other income derived from the
11 Fund shall be credited to the Fund. The Authority shall not use monies in this Fund for any
12 purpose other than to pay for expenses incurred by the Authority in carrying out its powers and
13 duties as set forth in this Article. Monies in the Fund shall only be available for expenditure upon
14 an act of appropriation of the General Assembly. The Fund is subject to the provisions of the
15 State Budget Act, except that no unexpended surplus of the Fund shall revert to the General Fund.

16 (e) Fee Exemption. – A covered entity that provides, maintains, controls, directs, or
17 licenses a data transfer system for providers or entities subject to the HIE Network connection
18 and data submission requirements of this Article may claim an exemption from the State health
19 data assessment fee during a reporting period by demonstrating to the satisfaction of the
20 Authority that one or more of the following is true:

21 (1) The covered entity has secured a time-limited exception from the Authority
22 under G.S. 90-414.4(g) for the applicable State health data assessment fee
23 reporting period.

24 (2) The covered entity attests, in writing, that it and the providers and entities on
25 whose behalf it provides, maintains, controls, directs, or licenses a data
26 transfer system received less than five hundred thousand dollars (\$500,000)
27 in State health care funds for providing health care services to beneficiaries of
28 State-funded health care.

29 (3) The covered entity is acting in good faith to comply with the Statewide Health
30 Information Exchange Act as evidenced by all of the following:

31 a. Has entered into a participation agreement with the Authority.

32 b. Maintains contact with the Authority.

33 c. Timely responds to direct communications from the Authority
34 regarding matters such as connection status, onboarding, training, and
35 data submission.

36 (4) The covered entity is in its first year of existence, as evidenced by filings with
37 the Office of the Secretary of State.

38 (5) The covered entity attests, in writing, that it is actively transitioning between
39 data transfer systems.

40 (6) The covered entity is a prepaid health plan, as defined in G.S. 108D-1.

41 (f) Revocation of Exempt Status. – The Authority may revoke a covered entity's
42 exemption from payment of the State health data assessment fee if the covered entity is
43 unresponsive to communications from the Authority or if the covered entity fails to maintain
44 contact with the Authority. The Authority may revoke an exemption from the payment of the
45 State health data assessment fee for good cause after giving the covered entity 30 days' written
46 notice and an opportunity to cure any unresponsiveness to, or failure to maintain contact with,
47 the Authority.

48 (g) Civil Penalty for Submitting a False Record to Avoid the Fee. – It is unlawful for any
49 person or entity to knowingly present or cause to be presented to the Authority a false record to
50 avoid full payment of the State health data assessment fee due under this section. The Authority
51 shall assess against any person or entity that violates this section a civil penalty of not less than

1 five thousand dollars (\$5,000) and not more than ten thousand dollars (\$10,000), plus three times
2 the amount of damages sustained by the Authority as a result of that person's or entity's actions.
3 The clear proceeds of civil penalties provided for in this subsection shall be remitted to the Civil
4 Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

5 **"§ 90-414.15. Appeal of Authority's determinations.**

6 (a) Determinations and Appeals. – The Authority shall make the following
7 determinations regarding providers' and entities' obligations: (i) grant or deny requests for
8 time-limited exceptions under G.S. 90-414.4 and (ii) assess penalties under G.S. 90-414.14. The
9 Authority shall send these determinations, in writing, to providers and entities via certified mail,
10 return receipt requested, and via email, if known to the Authority. If a provider or entity disagrees
11 with the Authority's determination, it shall deliver a petition for appeal to the Department of
12 Information Technology's registered agent via certified mail, return receipt requested, within 30
13 calendar days after receipt of the Authority's written determination. The petition for appeal shall
14 include an explanation of the specific reasons the provider or entity disagrees with the Authority's
15 determination and shall be supported by documentation and affidavits regarding the petitioner's
16 compliance with this Article along with any other supporting documentation the petitioner deems
17 relevant to the appeal. The Authority shall develop and make available on its website the form to
18 be used by any provider or entity seeking to appeal the Authority's determination.

19 (b) Untimely Appeals. – A petitioner's failure to submit a timely petition for appeal shall
20 result in the dismissal of the appeal with prejudice. The Department of Information Technology
21 shall notify the provider or entity of such dismissal in writing.

22 (c) Review by the State CIO or the State CIO's Designee. – The State CIO or the State
23 CIO's designee shall review all timely petitions for appeal under this section. The State CIO or
24 the State CIO's designee may render a decision on the petition without meeting with the
25 petitioner. If the State CIO or State CIO's designee renders a decision without meeting with the
26 petitioner, then the State CIO or the State CIO's designee shall notify the petitioner of his or her
27 decision, in writing, within 30 calendar days after the date the petition was received by the
28 Department of Information Technology. If the State CIO or the State CIO's designee determines
29 it is necessary to meet with the petitioner prior to rendering a decision, the State CIO or the State
30 CIO's designee and petitioner shall schedule a meeting within 30 calendar days after the date the
31 petition was received by the Department of Information Technology, or as soon as reasonably
32 practical thereafter, or as agreed upon by the parties. Within 30 calendar days after the date of
33 the meeting, the State CIO or the State CIO's designee shall submit a decision, in writing, to the
34 petitioner by certified mail, return receipt requested, and via email, if known.

35 (d) Administrative Review. – If the petitioner disagrees with the decision of the State
36 CIO or the State CIO's designee, the petitioner may commence a contested case under Article 3A
37 of Chapter 150B of the General Statutes. A petition for a contested case shall be filed within 30
38 calendar days after the earlier of either the date the decision of the State CIO or the State CIO's
39 designee is mailed to the petitioner or the date the decision of the State CIO or the State CIO's
40 designee is emailed to the petitioner. Except as otherwise provided by this Article, no other
41 disputes between the Authority and providers or entities, including disputes involving the terms
42 or conditions of any agreement described in G.S. 90-414.7(b), or a party's performance under
43 any such agreement, are subject to the contested case provisions of Chapter 150B of the General
44 Statutes.

45 **"§ 90-414.16. Data related services.**

46 (a) Data Related Services. – The Authority may provide data related services to a covered
47 entity participating in the HIE Network or to a business associate of the participating covered
48 entity that is using the service to perform a function for the participating covered entity. Only
49 covered entities participating in the HIE Network may make a request to the Authority for data
50 related services. Nothing in this section shall be construed to require the Authority to provide
51 data related services to covered entities or their business associates. Data disclosed or used in the

Authority's provision of these services to any person or entity shall not be used for commercial purposes.

(b) Cost Recovery. – If the Authority voluntarily elects to provide a data related service to a covered entity, then it may charge a reasonable fee that may not exceed the actual cost incurred for the service. The cost recovery shall be based on generally accepted accounting principles and may include labor costs of the personnel providing the service, any information technology expense, and any other administrative expense."

SECTION 9B.3.(b) The deadline for submitting the first report due under G.S. 90-414.13 and the accompanying State health data assessment fee, if applicable, is May 1, 2028.

SECTION 9B.3.(c) Pursuant to G.S. 90-414.14(b), the initial State health data assessment fee schedules for annual compliance report periods beginning in 2028, 2029, and 2030 are as follows:

(1) For the annual compliance report period beginning in 2028:

| Amount of State Health Care Funds received in 2024 | State Health Data Assessment Fee: Amount Due |
|---|---|
| \$1,000,000 + | 1.6% of State health care funds received in 2027 |
| \$750,001 – \$1,000,000 | \$9,000 |
| \$500,001 – \$750,000 | \$6,000 |
| \$250,001 – \$500,000 | \$3,000 |
| Less than \$250,000 | (No fee) |

(2) For the annual compliance report period beginning in 2029:

| Amount of State Health Care Funds received in 2025 | State Health Data Assessment Fee: Amount Due |
|---|---|
| \$1,000,000 + | 1.6% of State health care funds received in 2028 |
| \$750,001 – \$1,000,000 | \$12,000 |
| \$500,001 – \$750,000 | \$8,000 |
| \$250,001 – \$500,000 | \$4,000 |
| Less than \$250,000 | (No fee) |

(3) For the annual compliance report period beginning in 2030:

| Amount of State Health Care Funds received in 2026 | State Health Data Assessment Fee: Amount Due |
|---|---|
| \$1,000,000 + | 1.6% of State health care funds received in 2029 |
| \$750,001 – \$1,000,000 | \$15,000 |
| \$500,001 – \$750,000 | \$9,000 |
| \$250,001 – \$500,000 | \$4,500 |
| Less than \$250,000 | (No fee) |

SECTION 9B.3.(d) This section becomes effective December 1, 2025.

CLARIFICATION RELATED TO EXPANSION OF THE NC LOAN REPAYMENT PROGRAM

SECTION 9B.4. Section 9B.4(b)(1) of S.L. 2023-134 reads as rewritten:

"(1) For eligible providers with educational loan debt, the total amount of loan repayment incentives awarded shall not exceed the ~~maximum amounts otherwise allowed under the current NC LRP~~: following amounts:

- a. For the primary care physicians initiative, the total amount of loan repayment incentives awarded to each eligible primary care physician shall not exceed the maximum amount otherwise allowed under the current NC LRP.

- 1 b. For the behavioral health providers initiative, the total amount of loan
2 repayment incentives awarded to each eligible provider shall not
3 exceed fifty thousand dollars (\$50,000).
4 c. For the nurse initiative, the total amount of loan repayment incentives
5 awarded to each eligible provider shall not exceed fifty thousand
6 dollars (\$50,000)."
7

8 **MANAGEMENT FLEXIBILITY FOR THE DEPARTMENT OF HEALTH AND**
9 **HUMAN SERVICES TO EXPEND CERTAIN ARPA TEMPORARY SAVINGS**
10 **FUND APPROPRIATIONS FOR PURPOSES RELATED TO CHILD AND FAMILY**
11 **WELL-BEING**

12 **SECTION 9B.5.** The Department of Health and Human Services (DHHS) may
13 allocate any unexpended funds remaining from the appropriations described in Section 9B.9(a)
14 of S.L. 2023-134 to the Division of Child Welfare and Family Well-Being; the Division of
15 Mental Health, Developmental Disabilities, and Substance Use Services; and the Division of
16 Social Services in the amounts and for the programs and initiatives the DHHS deems necessary,
17 as long as the programs and initiatives are consistent with the purposes described in subdivisions
18 (a)(1) and (a)(2) of Section 9B.9 of S.L. 2023-134.
19

20 **PART IX-C. CHILD AND FAMILY WELL-BEING [RESERVED]**
21

22 **PART IX-D. CHILD DEVELOPMENT AND EARLY EDUCATION**
23

24 **NC PRE-K PROGRAMS/STANDARDS FOR FOUR- AND FIVE-STAR RATED**
25 **FACILITIES**

26 **SECTION 9D.1.(a)** Eligibility. – The Department of Health and Human Services,
27 Division of Child Development and Early Education, shall continue implementing the
28 prekindergarten program (NC Pre-K). The NC Pre-K program shall serve children who are 4
29 years of age on or before August 31 of the program year. In determining eligibility, the Division
30 shall establish income eligibility requirements for the program not to exceed seventy-five percent
31 (75%) of the State median income. Up to twenty percent (20%) of children enrolled may have
32 family incomes in excess of seventy-five percent (75%) of median income if those children have
33 other designated risk factors. Furthermore, any age-eligible child who is a child of either of the
34 following shall be eligible for the program: (i) an active duty member of the Armed Forces of the
35 United States, including the North Carolina National Guard, State military forces, or a reserve
36 component of the Armed Forces who was ordered to active duty by the proper authority within
37 the last 18 months or is expected to be ordered within the next 18 months, or (ii) a member of the
38 Armed Forces of the United States, including the North Carolina National Guard, State military
39 forces, or a reserve component of the Armed Forces who was injured or killed while serving on
40 active duty. Eligibility determinations for NC Pre-K participants may continue through local
41 education agencies and local North Carolina Partnership for Children, Inc., partnerships.
42

43 Other than developmental disabilities or other chronic health issues, the Division shall
44 not consider the health of a child as a factor in determining eligibility for participation in the NC
45 Pre-K program.

46 **SECTION 9D.1.(a1)** Staff-To-Child Ratio and Class Size. – The classroom shall not
47 exceed a maximum staff-to-child ratio of one to 10 with a maximum class size of 20 children,
48 with at least one teacher and one teacher assistant per classroom. A classroom of 10 children or
49 less shall have at least one teacher. The Child Care Commission shall adopt any rules and the
50 Division of Child Development and Early Education shall revise any rules or policies necessary
to implement the provisions of this subsection.

1 **SECTION 9D.1.(b)** Multiyear Contracts. – The Division of Child Development and
 2 Early Education shall require the NC Pre-K contractor to issue multiyear contracts for licensed
 3 private child care centers providing NC Pre-K classrooms.

4 **SECTION 9D.1.(c)** Building Standards. – Notwithstanding G.S. 110-91(4), private
 5 child care facilities and public schools operating NC Pre-K classrooms shall meet the building
 6 standards for preschool students as provided in G.S. 115C-521.1.

7 **SECTION 9D.1.(d)** Programmatic Standards. – Except as provided in subsection (c)
 8 of this section, entities operating NC Pre-K classrooms shall adhere to all of the policies
 9 prescribed by the Division of Child Development and Early Education regarding programmatic
 10 standards and classroom requirements.

11 **SECTION 9D.1.(e)** NC Pre-K Committees. – Local NC Pre-K committees shall use
 12 the standard decision-making process developed by the Division of Child Development and Early
 13 Education in awarding NC Pre-K classroom slots and student selection.

14 **SECTION 9D.1.(f)** Reporting. – The Division of Child Development and Early
 15 Education shall submit an annual report no later than March 15 of each year to the Joint
 16 Legislative Oversight Committee on Health and Human Services, the Office of State Budget and
 17 Management, and the Fiscal Research Division. The report shall include the following:

- 18 (1) The number of children participating in the NC Pre-K program by county.
- 19 (2) The number of children participating in the NC Pre-K program who have
 20 never been served in other early education programs such as child care, public
 21 or private preschool, Head Start, Early Head Start, or early intervention
 22 programs.
- 23 (3) The expected NC Pre-K expenditures for the programs and the source of the
 24 local contributions.
- 25 (4) The results of an annual evaluation of the NC Pre-K program.

26 **SECTION 9D.1.(g)** Audits. – The administration of the NC Pre-K program by local
 27 partnerships shall be subject to the financial and compliance audits authorized under
 28 G.S. 143B-168.14(b).

29
 30 **NC PRE-K/REPORT ON REALLOCATION OF UNUSED SLOTS**

31 **SECTION 9D.2.** The Department of Health and Human Services, Division of Child
 32 Development and Early Education (Division), shall submit a report to the Joint Legislative
 33 Oversight Committee on Health and Human Services and the Fiscal Research Division by March
 34 1, 2026, on how unused slots are reallocated in the NC Prekindergarten (NC Pre-K) program.
 35 The report shall include, at a minimum, the following:

- 36 (1) A description of the number of unused slots following the 2022-2023 program
 37 year.
- 38 (2) Options for changes to the administration of the program that would allow
 39 unused slots to be used by counties that have waiting lists of eligible children
 40 and sufficient providers to use those slots that program year.
- 41 (3) Any other information the Division deems relevant to the issue of chronically
 42 unused NC Pre-K slots.

43
 44 **CHILD CARE SUBSIDY RATES**

45 **SECTION 9D.3.(a)** The maximum gross annual income for initial eligibility,
 46 adjusted annually, for subsidized child care services shall be determined based on a percentage
 47 of the federal poverty level as follows:

| 48 AGE | INCOME PERCENTAGE LEVEL |
|---------------------|--------------------------------|
| 49 0 – 5 | 200% |
| 50 6 – 12 | 133% |

1 The eligibility for any child with special needs, including a child who is 13 years of
2 age or older, shall be two hundred percent (200%) of the federal poverty level.

3 **SECTION 9D.3.(b)** The fees for families who are required to share in the cost of
4 care are established based on ten percent (10%) of gross family income. Effective August 1,
5 2026, the fees for families who are required to share in the cost of care are established based on
6 seven percent (7%) of gross family income. When care is received at the blended rate, the
7 copayment shall be eighty-three percent (83%) of the full-time copayment. Copayments for
8 part-time care shall be seventy-five percent (75%) of the full-time copayment.

9 **SECTION 9D.3.(c)** Payments for the purchase of child care services for low-income
10 children shall be in accordance with the following requirements:

- 11 (1) Religious sponsored child care facilities operating pursuant to G.S. 110-106
12 and licensed child care centers and homes that meet the minimum licensing
13 standards that are participating in the subsidized child care program shall be
14 paid the one-star county market rate or the rate they charge privately paying
15 parents unless prohibited by subsection (f) of this section.
- 16 (2) Licensed child care centers and homes with two or more stars shall receive the
17 market rate for that rated license level for that age group unless prohibited by
18 subsection (g) of this section.
- 19 (3) No payments shall be made for transportation services charged by child care
20 facilities.
- 21 (4) Payments for subsidized child care services for postsecondary education shall
22 be limited to a maximum of 20 months of enrollment. This shall not be
23 determined before a family's annual recertification period.
- 24 (5) The Department of Health and Human Services shall implement necessary
25 rule changes to restructure services, including, but not limited to, targeting
26 benefits to employment.

27 **SECTION 9D.3.(d)** Provisions of payment rates for child care providers in counties
28 that do not have at least 50 children in each age group for center-based and home-based care are
29 as follows:

- 30 (1) Except as applicable in subdivision (2) of this subsection, payment rates shall
31 be set at the statewide or regional market rate for licensed child care centers
32 and homes.
- 33 (2) If it can be demonstrated that the application of the statewide or regional
34 market rate to a county with fewer than 50 children in each age group is lower
35 than the county market rate and would inhibit the ability of the county to
36 purchase child care for low-income children, then the county market rate may
37 be applied.

38 **SECTION 9D.3.(e)** A market rate shall be calculated for child care centers and
39 homes at each rated license level for each county and for each age group or age category of
40 enrollees and shall be representative of fees charged to parents for each age group of enrollees
41 within the county. The Division of Child Development and Early Education shall also calculate
42 a statewide rate and regional market rate for each rated license level for each age category.

43 **SECTION 9D.3.(f)** The Division of Child Development and Early Education shall
44 continue implementing policies that improve the quality of child care for subsidized children,
45 including a policy in which child care subsidies are paid, to the extent possible, for child care in
46 the higher quality centers and homes only. The Division shall define higher quality, and subsidy
47 funds shall not be paid for one- or two-star-rated facilities. For those counties with an inadequate
48 number of four- and five-star-rated facilities, the Division shall continue a transition period that
49 allows the facilities to continue to receive subsidy funds while the facilities work on the increased
50 star ratings. The Division may allow exemptions in counties where there is an inadequate number
51 of four- and five-star-rated facilities for non-star-rated programs, such as religious programs.

1 **SECTION 9D.3.(g)** Facilities licensed pursuant to Article 7 of Chapter 110 of the
2 General Statutes and facilities operated pursuant to G.S. 110-106 may participate in the program
3 that provides for the purchase of care in child care facilities for minor children of needy families.
4 Except as authorized by subsection (f) of this section, no separate licensing requirements shall
5 be used to select facilities to participate. In addition, child care facilities shall be required to meet
6 any additional applicable requirements of federal law or regulations. Child care arrangements
7 exempt from State regulation pursuant to Article 7 of Chapter 110 of the General Statutes shall
8 meet the requirements established by other State law and by the Social Services Commission.

9 County departments of social services or other local contracting agencies shall not
10 use a provider's failure to comply with requirements in addition to those specified in this
11 subsection as a condition for reducing the provider's subsidized child care rate.

12 **SECTION 9D.3.(h)** Payment for subsidized child care services provided with
13 Temporary Assistance for Needy Families Block Grant funds shall comply with all regulations
14 and policies issued by the Division of Child Development and Early Education for the subsidized
15 child care program.

16 **SECTION 9D.3.(i)** Noncitizen families who reside in this State legally shall be
17 eligible for child care subsidies if all other conditions of eligibility are met. If all other conditions
18 of eligibility are met, noncitizen families who reside in this State illegally shall be eligible for
19 child care subsidies only if at least one of the following conditions is met:

- 20 (1) The child for whom a child care subsidy is sought is receiving child protective
21 services or foster care services.
- 22 (2) The child for whom a child care subsidy is sought is developmentally delayed
23 or at risk of being developmentally delayed.
- 24 (3) The child for whom a child care subsidy is sought is a citizen of the United
25 States.

26 **SECTION 9D.3.(j)** The Department of Health and Human Services, Division of
27 Child Development and Early Education, shall require all county departments of social services
28 to include on any forms used to determine eligibility for child care subsidy whether the family
29 waiting for subsidy is receiving assistance through the NC Pre-K Program or Head Start.

30 **SECTION 9D.3.(k)** Department of Defense-certified child care facilities licensed
31 pursuant to G.S. 110-106.2 may participate in the State-subsidized child care program that
32 provides for the purchase of care in child care facilities for minor children in needy families,
33 provided that funds allocated from the State-subsidized child care program to Department of
34 Defense-certified child care facilities shall supplement and not supplant funds allocated in
35 accordance with G.S. 143B-168.15(g). Payment rates and fees for military families who choose
36 Department of Defense-certified child care facilities and who are eligible to receive subsidized
37 child care shall be as set forth in this section.

38 39 **CHILD CARE ALLOCATION FORMULA**

40 **SECTION 9D.4.(a)** The Department of Health and Human Services, Division of
41 Child Development and Early Education (Division), shall allocate child care subsidy voucher
42 funds to pay the costs of necessary child care for minor children of needy families. The
43 mandatory thirty percent (30%) North Carolina Partnership for Children, Inc., subsidy allocation
44 under G.S. 143B-168.15(g) shall constitute the base amount for each county's child care subsidy
45 allocation. The Department of Health and Human Services shall use the following method when
46 allocating federal and State child care funds, not including the aggregate mandatory thirty percent
47 (30%) North Carolina Partnership for Children, Inc., subsidy allocation:

- 48 (1) Funds shall be allocated to a county based upon the projected cost of serving
49 children under age 11 in families with all parents working who earn less than
50 the applicable federal poverty level percentage set forth in Section 9D.3(a) of
51 this act.

- 1 (2) The Division may withhold up to two percent (2%) of available funds from
2 the allocation formula for (i) preventing termination of services throughout
3 the fiscal year and (ii) repayment of any federal funds identified by counties
4 as overpayments, including overpayments due to fraud. The Division shall
5 allocate to counties any funds withheld before the end of the fiscal year when
6 the Division determines the funds are not needed for the purposes described
7 in this subdivision. The Division shall submit a report to the Joint Legislative
8 Oversight Committee on Health and Human Services and the Fiscal Research
9 Division, which report shall include each of the following:
- 10 a. The amount of funds used for preventing termination of services and
11 the repayment of any federal funds.
 - 12 b. The date the remaining funds were distributed to counties.
 - 13 c. As a result of funds withheld under this subdivision and after funds
14 have been distributed, any counties that did not receive at least the
15 amount the counties received the previous year and the amount by
16 which funds were decreased.

17 The Division shall submit a report in each year of the 2025-2027 fiscal
18 biennium 30 days after the funds withheld pursuant to this subdivision are
19 distributed but no later than April 1 of each respective year.

- 20 (3) The Division shall set aside four percent (4%) of child care subsidy allocations
21 for vulnerable populations, which include a child identified as having special
22 needs and a child whose application for assistance indicates that the child and
23 the child's family is experiencing homelessness or is in a temporary living
24 situation. A child identified by this subdivision shall be given priority for
25 receiving services until such time as set-aside allocations for vulnerable
26 populations are exhausted.

27 **SECTION 9D.4.(b)** The Division may reallocate unused child care subsidy voucher
28 funds in order to meet the child care needs of low-income families. Any reallocation of funds
29 shall be based upon the expenditures of all child care subsidy voucher funding, including North
30 Carolina Partnership for Children, Inc., funds within a county. Counties shall manage service
31 levels within the funds allocated to the counties. A county with a spending coefficient over one
32 hundred percent (100%) shall submit a plan to the Division for managing the county's allocation
33 before receiving any reallocated funds.

34 **SECTION 9D.4.(c)** When implementing the formula under subsection (a) of this
35 section, the Division shall include the market rate increase in the formula process rather than
36 calculate the increases outside of the formula process. Additionally, the Department shall do the
37 following:

- 38 (1) Deem a county's initial allocation as the county's expenditure in the previous
39 fiscal year or a prorated share of the county's previous fiscal year expenditures
40 if sufficient funds are not available.
- 41 (2) Effective immediately following the next new decennial census data release,
42 implement (i) one-third of the change in a county's allocation in the year
43 following the data release, (ii) an additional one-third of the change in a
44 county's allocation beginning two years after the initial change under this
45 subdivision, and (iii) the final one-third change in a county's allocation
46 beginning the following two years thereafter.

47 **SMART START INITIATIVES**

48 **SECTION 9D.5.(a)** Policies. – The North Carolina Partnership for Children, Inc.,
49 and its Board shall ensure policies focus on the North Carolina Partnership for Children, Inc.'s,
50 mission of improving child care quality in North Carolina for children from birth to 5 years of
51

1 age. North Carolina Partnership for Children, Inc., funded activities shall include assisting child
2 care facilities with (i) improving quality, including helping one-, two-, and three-star-rated
3 facilities increase their star ratings, and (ii) implementing prekindergarten programs. State
4 funding for local partnerships shall also be used for evidence-based or evidence-informed
5 programs for children from birth to 5 years of age that do the following:

- 6 (1) Increase children's literacy.
- 7 (2) Increase the parents' ability to raise healthy, successful children.
- 8 (3) Improve children's health.
- 9 (4) Assist four- and five-star-rated facilities in improving and maintaining quality.

10 **SECTION 9D.5.(b)** Administration. – Administrative costs shall be equivalent to,
11 on an average statewide basis for all local partnerships, not more than ten percent (10%) of the
12 total statewide allocation to all local partnerships. For purposes of this subsection, administrative
13 costs shall include costs associated with partnership oversight, business and financial
14 management, general accounting, human resources, budgeting, purchasing, contracting, and
15 information systems management. The North Carolina Partnership for Children, Inc., shall
16 continue using a single statewide contract management system that incorporates features of the
17 required standard fiscal accountability plan described in G.S. 143B-168.12(a)(4). All local
18 partnerships are required to participate in the contract management system and, directed by the
19 North Carolina Partnership for Children, Inc., to collaborate, to the fullest extent possible, with
20 other local partnerships to increase efficiency and effectiveness.

21 **SECTION 9D.5.(c)** Salaries. – The salary schedule developed and implemented by
22 the North Carolina Partnership for Children, Inc., shall set the maximum amount of State funds
23 that may be used for the salary of the Executive Director of the North Carolina Partnership for
24 Children, Inc., and the directors of the local partnerships. The North Carolina Partnership for
25 Children, Inc., shall base the schedule on the following criteria:

- 26 (1) The population of the area serviced by a local partnership.
- 27 (2) The amount of State funds administered.
- 28 (3) The amount of total funds administered.
- 29 (4) The professional experience of the individual to be compensated.
- 30 (5) Any other relevant factors pertaining to salary, as determined by the North
31 Carolina Partnership for Children, Inc.

32 The salary schedule shall be used only to determine the maximum amount of State
33 funds that may be used for compensation. Nothing in this subsection shall be construed to prohibit
34 a local partnership from using non-State funds to supplement an individual's salary in excess of
35 the amount set by the salary schedule established under this subsection.

36 **SECTION 9D.5.(d)** Match Requirements. – The North Carolina Partnership for
37 Children, Inc., and all local partnerships shall, in the aggregate, be required to apply the match
38 percentages specified in this section to the total amount budgeted for the program in each fiscal
39 year of the 2025-2027 biennium. Of the funds that the North Carolina Partnership for Children,
40 Inc., and the local partnerships are required to match, contributions of cash shall be equal to at
41 least thirteen percent (13%) and in-kind donated resources shall be equal to no more than six
42 percent (6%) for a total match requirement of nineteen percent (19%) for each year of the
43 2025-2027 fiscal biennium. The North Carolina Partnership for Children, Inc., may carry forward
44 any amount in excess of the required match for a fiscal year in order to meet the match
45 requirement of the succeeding fiscal year. Only in-kind contributions that are quantifiable shall
46 be applied to the in-kind match requirement. Volunteer services may be treated as an in-kind
47 contribution for the purpose of the match requirement of this subsection. Volunteer services that
48 qualify as professional services shall be valued at the fair market value of those services. All
49 other volunteer service hours shall be valued at the statewide average wage rate as calculated
50 from data compiled by the Division of Employment Security of the Department of Commerce in
51 the Employment and Wages in North Carolina Annual Report for the most recent period for

1 which data are available. Expenses, including both those paid by cash and in-kind contributions,
2 incurred by other participating non-State entities contracting with the North Carolina Partnership
3 for Children, Inc., or the local partnerships also may be considered resources available to meet
4 the required private match. In order to qualify to meet the required private match, the expenses
5 shall:

- 6 (1) Be verifiable from the contractor's records.
- 7 (2) If in-kind, other than volunteer services, be quantifiable in accordance with
8 generally accepted accounting principles for nonprofit organizations.
- 9 (3) Not include expenses funded by State funds.
- 10 (4) Be supplemental to and not supplant preexisting resources for related program
11 activities.
- 12 (5) Be incurred as a direct result of the Early Childhood Initiatives Program and
13 be necessary and reasonable for the proper and efficient accomplishment of
14 the Program's objectives.
- 15 (6) Be otherwise allowable under federal or State law.
- 16 (7) Be required and described in the contractual agreements approved by the
17 North Carolina Partnership for Children, Inc., or the local partnership.
- 18 (8) Be reported to the North Carolina Partnership for Children, Inc., or the local
19 partnership by the contractor in the same manner as reimbursable expenses.

20 Failure to obtain a nineteen-percent (19%) match by June 30 of each year of the
21 2025-2027 fiscal biennium shall result in a dollar-for-dollar reduction in the appropriation for the
22 Program for a subsequent fiscal year. The North Carolina Partnership for Children, Inc., shall be
23 responsible for compiling information on the private cash and in-kind contributions into a report,
24 to be included in its annual report as required under G.S. 143B-168.12(d), in a format that allows
25 verification by the Department of Revenue. The North Carolina Partnership for Children, Inc.,
26 shall provide a copy of the annual report to the Department of Health and Human Services,
27 Division of Child Development and Early Education. The same match requirements shall apply
28 to any expansion funds appropriated by the General Assembly.

29 **SECTION 9D.5.(e) Bidding.** – The North Carolina Partnership for Children, Inc.,
30 and all local partnerships shall use competitive bidding practices in contracting for goods and
31 services on contract amounts as follows:

- 32 (1) For amounts of five thousand dollars (\$5,000) or less, the procedures specified
33 by a written policy as developed by the Board of Directors of the North
34 Carolina Partnership for Children, Inc.
- 35 (2) For amounts greater than five thousand dollars (\$5,000) but less than fifteen
36 thousand dollars (\$15,000), three written quotes.
- 37 (3) For amounts of fifteen thousand dollars (\$15,000) or more but less than forty
38 thousand dollars (\$40,000), a request for proposal process.
- 39 (4) For amounts of forty thousand dollars (\$40,000) or more, a request for
40 proposal process and advertising in a major newspaper.

41 **SECTION 9D.5.(f) Allocations.** – The North Carolina Partnership for Children, Inc.,
42 shall not reduce the allocation for counties with less than 35,000 in population below the
43 2012-2013 funding level.

44 **SECTION 9D.5.(g) Performance-Based Evaluation.** – The Department of Health
45 and Human Services shall continue to implement the performance-based evaluation system.

46 **SECTION 9D.5.(h) Expenditure Restrictions.** – Except as provided in subsection (i)
47 of this section, the Department of Health and Human Services and the North Carolina Partnership
48 for Children, Inc., shall ensure that the allocation of funds for Early Childhood Education and
49 Development Initiatives for the 2025-2027 fiscal biennium shall be administered and distributed
50 in the following manner:

1 (1) Capital expenditures are prohibited for the 2025-2027 fiscal biennium. For the
2 purposes of this section, "capital expenditures" means expenditures for capital
3 improvements as defined in G.S. 143C-1-1(d)(5).

4 (2) Expenditures of State funds for advertising and promotional activities are
5 prohibited for the 2025-2027 fiscal biennium.

6 For the 2025-2027 fiscal biennium, local partnerships shall not spend any State funds
7 on marketing campaigns, advertising, or any associated materials. Local partnerships may spend
8 any private funds the local partnerships receive on those activities.

9 **SECTION 9D.5.(i)** Notwithstanding subsection (h) of this section, the North
10 Carolina Partnership for Children, Inc., and local partnerships may use up to one percent (1%) of
11 State funds for fundraising activities. The North Carolina Partnership for Children, Inc., shall
12 include in its annual report required under G.S. 143B-168.12(d) a report on the use of State funds
13 for fundraising. The report shall include the following:

14 (1) The amount of funds expended on fundraising.

15 (2) Any return on fundraising investments.

16 (3) Any other information deemed relevant.

17 18 **SMART START LITERACY INITIATIVE/DOLLY PARTON'S IMAGINATION** 19 **LIBRARY**

20 **SECTION 9D.6.(a)** A portion of the funds allocated in this act to the North Carolina
21 Partnership for Children, Inc., from the Department of Health and Human Services, shall
22 continue to be used to increase access to Dolly Parton's Imagination Library, an early literacy
23 program that mails age-appropriate books on a monthly basis to children registered for the
24 program.

25 **SECTION 9D.6.(b)** The North Carolina Partnership for Children, Inc., may use up
26 to one percent (1%) of the funds for statewide program management and up to one percent (1%)
27 of the funds for program evaluation. Funds allocated under this section shall not be subject to
28 administrative costs requirements under Section 9D.5(b) of this act, nor shall these funds be
29 subject to the child care services funding requirements under G.S. 143B-168.15(b), child care
30 subsidy expansion requirements under G.S. 143B-168.15(g), or the match requirements under
31 Section 9D.5(d) this act.

32 33 **INCREASE CHILD CARE SUBSIDY REIMBURSEMENT RATES**

34 **SECTION 9D.7.** Beginning July 1, 2025, the Department of Health and Human
35 Services, Division of Child Development and Early Education, shall increase the child care
36 subsidy market rates to the seventy-fifth percentile as recommended by the 2023 Child Care
37 Market Rate Study for children in three-, four-, and five-star-rated child care centers and homes.

38 39 **PART IX-E. HEALTH BENEFITS**

40 41 **CONTINUE MEDICAID ANNUAL REPORT**

42 **SECTION 9E.1.** The Department of Health and Human Services, Division of Health
43 Benefits (DHB), shall continue the publication of the Medicaid Annual Report and
44 accompanying tables. DHB shall publish the report and tables on its website no later than
45 December 31 following each State fiscal year.

46 47 **VOLUME PURCHASE PLANS AND SINGLE SOURCE PROCUREMENT**

48 **SECTION 9E.2.** The Department of Health and Human Services, Division of Health
49 Benefits, may, subject to the approval of a change in the State Medicaid Plan, contract for
50 services, medical equipment, supplies, and appliances by implementation of volume purchase

1 plans, single source procurement, or other contracting processes in order to improve cost
2 containment.

4 **DURATION OF MEDICAID PROGRAM MODIFICATIONS**

5 **SECTION 9E.3.(a)** Except for statutory changes or where otherwise specified, the
6 Department of Health and Human Services shall not be required to maintain, after June 30, 2027,
7 any modifications to the Medicaid program required by this Subpart.

8 **SECTION 9E.3.(b)** Consistent with the duration of Medicaid program modifications
9 established in subsection (a) of this section, the Department of Health and Human Services shall
10 not be required to maintain, after June 30, 2027, any modifications to the Medicaid program
11 required by Section 15 of S.L. 2023-129.

13 **ADMINISTRATIVE HEARINGS FUNDING**

14 **SECTION 9E.4.** Of the funds appropriated in this act to the Department of Health
15 and Human Services, Division of Health Benefits, for administrative contracts and interagency
16 transfers, the Department of Health and Human Services (DHHS) shall transfer the sum of one
17 million dollars (\$1,000,000) for the 2025-2026 fiscal year and the sum of one million dollars
18 (\$1,000,000) for the 2026-2027 fiscal year to the Office of Administrative Hearings (OAH).
19 These funds shall be allocated by OAH for mediation services provided for Medicaid applicant
20 and recipient appeals and to contract for other services necessary to conduct the appeals process.
21 OAH shall continue the Memorandum of Agreement (MOA) with DHHS for mediation services
22 provided for Medicaid recipient appeals and contracted services necessary to conduct the appeals
23 process. Upon receipt of invoices from OAH for covered services rendered in accordance with
24 the MOA, DHHS shall transfer the federal share of Medicaid funds drawn down for this purpose.

26 **ACCOUNTING FOR MEDICAID RECEIVABLES AS NONTAX REVENUE**

27 **SECTION 9E.5.(a)** The Department of Health and Human Services, Division of
28 Health Benefits (DHB), receivables reserved at the end of the 2025-2026 and 2026-2027 fiscal
29 years shall, when received, be accounted for as nontax revenue for each of those fiscal years. The
30 treatment under this section of any revenue derived from federal programs shall be in accordance
31 with the requirements specified in the Code of Federal Regulations, Title 2, Part 225.

32 **SECTION 9E.5.(b)** For the 2025-2026 fiscal year, the Department of Health and
33 Human Services shall deposit from its revenue one hundred seven million seven hundred
34 thousand dollars (\$107,700,000) with the Department of State Treasurer to be accounted for as
35 nontax revenue. For the 2026-2027 fiscal year, the Department of Health and Human Services
36 shall deposit from its revenues one hundred nine million dollars (\$109,000,000) with the
37 Department of State Treasurer to be accounted for as nontax revenue. These deposits shall
38 represent the return of advanced General Fund appropriations, nonfederal revenue, fund
39 balances, or other resources from State-owned and State-operated hospitals that are used to
40 provide indigent and nonindigent care services. The return from State-owned and State-operated
41 hospitals to the Department of Health and Human Services shall be made from nonfederal
42 resources in the following manner:

- 43 (1) The University of North Carolina Hospitals at Chapel Hill shall make the
44 following deposits:
 - 45 a. For the 2025-2026 fiscal year, the amount of thirty-one million three
46 hundred sixty-five thousand three hundred five dollars (\$31,365,305).
 - 47 b. For the 2026-2027 fiscal year, the amount of thirty-one million three
48 hundred sixty-five thousand three hundred five dollars (\$31,365,305).
- 49 (2) All State-owned and State-operated hospitals, other than the University of
50 North Carolina Hospitals at Chapel Hill, that specialize in psychiatric care

1 shall annually deposit an amount equal to the amount of the payments from
 2 DHB for uncompensated care.

3
 4 **LME/MCO INTERGOVERNMENTAL TRANSFERS**

5 **SECTION 9E.6.(a)** The local management entities/managed care organizations
 6 (LME/MCOs) shall make intergovernmental transfers to the Department of Health and Human
 7 Services, Division of Health Benefits (DHB), in an aggregate amount of eighteen million
 8 twenty-eight thousand two hundred seventeen dollars (\$18,028,217) in the 2025-2026 fiscal year
 9 and in an aggregate amount of eighteen million twenty-eight thousand two hundred seventeen
 10 dollars (\$18,028,217) for the 2026-2027 fiscal year. The due date and frequency of the
 11 intergovernmental transfer required by this section shall be determined by DHB. The amount of
 12 the intergovernmental transfer that each individual LME/MCO is required to make in each fiscal
 13 year shall be as follows:

| | 2025-2026 | 2026-2027 |
|-----------------------------------|------------------|------------------|
| 14 Alliance Behavioral Healthcare | \$4,508,857 | \$4,508,857 |
| 15 Partners Health Management | \$3,544,348 | \$3,544,348 |
| 16 Trillium Health Resources | \$6,448,693 | \$6,448,693 |
| 17 Vaya Health | \$3,526,319 | \$3,526,319 |

18
 19 **SECTION 9E.6.(b)** In the event that a county disengages from an LME/MCO and
 20 realigns with another LME/MCO during the 2025-2027 fiscal biennium, DHB shall have the
 21 authority to reallocate the amount of the intergovernmental transfer that each affected
 22 LME/MCO is required to make under subsection (a) of this section, taking into consideration the
 23 change in catchment area and covered population, provided that the aggregate amount of the
 24 transfers received from all LME/MCOs in each year of the fiscal biennium is achieved.

25
 26 **CHILDREN AND FAMILIES SPECIALTY PLAN**

27 **SECTION 9E.7.(a)** Section 9E.22(a) of S.L. 2023-134 reads as rewritten:

28 "**SECTION 9E.22.(a)** The Department of Health and Human Services (DHHS) shall issue
 29 an initial request for proposals (RFP) to procure a single statewide children and families (CAF)
 30 specialty plan contract with services to begin to individuals described in G.S. 108D-40(a)(14) no
 31 later than December 1, ~~2024.~~ 2025. The RFP shall be subject to the requirements in
 32 G.S. 108D-62, as enacted by subsection (k) of this section. DHHS shall define the services
 33 available under the CAF specialty plan and the Medicaid beneficiaries who are eligible to enroll
 34 in the CAF specialty plan, except as otherwise specified in this act or in law. For the purposes of
 35 this section, the CAF specialty plan shall be as defined under G.S. 108D-1, as amended by
 36 subsection (c) of this section."

37 **SECTION 9E.7.(b)** G.S. 108D-40(a)(14) reads as rewritten:

38 "(14) Until the CAF specialty plan becomes operational, recipients who are (i)
 39 children enrolled in foster care in this State, (ii) receiving adoption assistance,
 40 or (iii) former foster care youth ~~until they reach the age of 26, who are eligible~~
 41 for Medicaid under G.S. 108A-54.3A(a)(8). When the CAF specialty plan
 42 becomes operational, recipients described in this subdivision will be enrolled
 43 in accordance with G.S. 108D-62."

44 **SECTION 9E.7.(c)** This section is effective when it becomes law.

45
 46 **MEDICAID WORK REQUIREMENTS**

47 **SECTION 9E.8.(a)** Section 2.4 of S.L. 2023-7 reads as rewritten:

48 "**SECTION 2.4.** If there is any indication that work requirements as a condition of
 49 participation in the Medicaid program may be authorized by the Centers for Medicare and
 50 Medicaid Services (CMS), then the Department of Health and Human Services, Division of
 51 Health Benefits (DHB), shall enter into negotiations with CMS to develop a plan for those work

1 requirements and to obtain approval of that plan. Within 30 days of entering into negotiations
2 with CMS pursuant to this section, DHB shall notify, in writing, the Joint Legislative Oversight
3 Committee on Medicaid (JLOC) and the Fiscal Research Division (FRD) of these negotiations.
4 Within 30 days of approval by CMS of a plan for work requirements as a condition of
5 participation in the Medicaid program, DHB shall submit a report to JLOC and FRD containing
6 the full details of the approved work requirements, including the approved date of
7 implementation of the requirements and any funding necessary to implement or maintain the
8 requirements. Notwithstanding any provision of G.S. 108A-54.3A to the contrary, the
9 Department of Health and Human Services shall implement any work requirements as a condition
10 of participation in the Medicaid program approved by the Centers for Medicare and Medicaid
11 Services in accordance with this section."

12 **SECTION 9E.8.(b)** This section is effective when it becomes law.

13
14 **TEMPORARILY EXTEND OPTION TO DECREASE MEDICAID ENROLLMENT**
15 **BURDEN ON COUNTY DEPARTMENTS OF SOCIAL SERVICES**

16 **SECTION 9E.9.(a)** Section 1.8(a) of S.L. 2023-7, as amended by Section 9(a) of
17 S.L. 2024-34, reads as rewritten:

18 "SECTION 1.8.(a) Notwithstanding G.S. 108A-54(d) and in accordance with
19 G.S. 143B-24(b), the Department of Health and Human Services (DHHS) is authorized, on a
20 temporary basis to conclude by June 30, ~~2025, 2028,~~ to utilize the federally facilitated
21 marketplace (Marketplace), also known as the federal health benefit exchange, to make Medicaid
22 eligibility determinations. In accordance with ~~G.S. 108A-54(b),~~ G.S. 108A-54(f), these
23 eligibility determinations shall be in compliance with all eligibility categories, resource limits,
24 and income thresholds set by the General Assembly."

25 **SECTION 9E.9.(b)** This section is effective when it becomes law.

26
27 **EXTEND PHARMACY REIMBURSEMENT RATES IN MEDICAID MANAGED CARE**

28 **SECTION 9E.10.** Section 9D.19A of S.L. 2021-180, as amended by Section 9D.8
29 of S.L. 2022-74, reads as rewritten:

30 "SECTION 9D.19A.(a) Notwithstanding G.S. 108D-65(6)b., for the prepaid health plan
31 capitated contracts required under Article 4 of Chapter 108D of the General Statutes, the
32 reimbursement for the ingredient cost for covered outpatient drugs and the professional drug
33 dispensing fee shall be set at one hundred percent (100%) of the Medicaid pharmacy
34 fee-for-service reimbursement methodologies in Attachment 4.19-B of section 12 of the
35 Medicaid State Plan under Title XIX of the Social Security Act Medicaid Assistance Program,
36 as filed with, and approved by, the Centers for Medicare and Medicaid Services. The National
37 Average Drug Acquisition Cost (NADAC), when applicable and as allowed under the Medicaid
38 State Plan, plus a professional dispensing fee based on the cost of the dispensing study conducted
39 on behalf of the North Carolina Department of Health and Human Services, Division of Health
40 Benefits, will serve as the primary method utilized for reimbursement for retail community
41 pharmacy claims not dispensed utilizing covered outpatient drugs acquired through the 340B
42 drug discount program established under 42 U.S.C. § 256b. All claims utilizing drugs acquired
43 through the 340B drug discount program shall be reimbursed in accordance with the
44 CMS-approved Medicaid State Plan.

45 "SECTION 9D.19A.(b) This section is effective when it becomes law and expires June 30,
46 ~~2026-2031.~~"

47
48 **GROSS PREMIUM TAX OFFSET CHANGES**

49 **SECTION 9E.11.(a)** Article 8B of Chapter 105 of the General Statutes is amended
50 by adding a new section to read:

51 "§ 105-228.10A. Transfer to Health Advancement Receipts Special Fund.

1 Each fiscal year, the Secretary of Revenue shall transfer at the beginning of each quarter from
2 the State insurance tax net collections received by the Department of Revenue under this Article
3 to the State Treasurer for the Health Advancement Receipts Special Fund, the gross premiums
4 tax offset amount, as defined in G.S. 108A-147.12. The Office of State Budget and Management
5 shall calculate the amount of the gross premiums tax offset as defined in G.S. 108A-147.12 and
6 certify the amount for the Secretary of Revenue that is required to transfer each quarter using
7 data in the North Carolina Financial System."

8 **SECTION 9E.11.(b)** G.S. 108A-147.11 reads as rewritten:

9 **"§ 108A-147.11. Health advancement reconciliation adjustment component.**

10 (a) The health advancement reconciliation adjustment component is a positive or
11 negative dollar amount equal to the actual nonfederal expenditures for the quarter that is two
12 quarters prior to the current quarter minus the sum of the following specified amounts:

- 13 (1) The presumptive service cost component calculated under G.S. 108A-147.5
14 for the quarter that is two quarters prior to the current quarter.
- 15 (2) The positive or negative ~~gross premiums tax offset amount calculated under~~
16 ~~G.S. 108A-147.12(b)-amount transferred during the current quarter by the~~
17 Department of Revenue to the State Treasurer for the Health Advancement
18 Receipts Special Fund under G.S. 105-228.10A.
- 19 (3) The HASP health advancement component calculated under G.S. 108A-147.6
20 for the quarter that is two quarters prior to the current quarter.

21"

22 **SECTION 9E.11.(c)** G.S. 143C-9-10 reads as rewritten:

23 **"§ 143C-9-10. Health Advancement Receipts Special Fund.**

24 (a) Creation. – The Health Advancement Receipts Special Fund is established as a
25 nonreverting special fund in the Department of Health and Human Services.

26 (b) Source of Funds. – Each State fiscal quarter, the Department of Health and Human
27 Services shall deposit in the Health Advancement Receipts Special Fund an amount of funds
28 equal to the total nonfederal receipts for health advancement calculated under
29 G.S. 108A-147.3(b) for that quarter, minus the State retention component under G.S. 108A-147.8
30 for that quarter, and plus the positive or negative ~~gross premiums tax offset amount calculated~~
31 ~~under G.S. 108A-147.12(b) for that quarter transferred by the Department of Revenue to the State~~
32 Treasurer for the Health Advancement Receipts Special Fund under G.S. 105-228.10A.

33 (c) Use of Funds. – The Department of Health and Human Services shall use funds in the
34 Health Advancement Receipts Special Fund only for the purposes described in
35 G.S. 108A-147.13."

36 **SECTION 9E.11.(d)** Section 1.6(d) of S.L. 2023-7 expires on June 30, 2025.

37
38 **CONTINUE MEDICAID COVERAGE FOR PREGNANT WOMEN FOR TWELVE**
39 **MONTHS POSTPARTUM**

40 **SECTION 9E.12.(a)** Section 9D.13(c) of S.L. 2021-180 is repealed.

41 **SECTION 9E.12.(b)** G.S. 108A-146.5 reads as rewritten:

42 **"§ 108A-146.5. Aggregate modernized assessment collection amount.**

43 (a) The aggregate modernized assessment collection amount is an amount of money that
44 is calculated by subtracting the modernized intergovernmental transfer adjustment component
45 under G.S. 108A-146.13 from the total modernized nonfederal receipts under subsection (b) of
46 this section and then adding the positive or negative amount of the modernized IGT actual
47 receipts adjustment component under G.S. 108A-146.14.

48 (b) The total modernized nonfederal receipts is the sum of all of the following:

- 49 (1) One-fourth of the State's annual Medicaid payment.
- 50 (2) The managed care component under G.S. 108A-146.7.
- 51 (3) The fee-for-service component under G.S. 108A-146.9.

- 1 (3a) The modernized HASP component under G.S. 108A-146.10.
2 (4) The GME component under G.S. 108A-146.11.
3 (5) Beginning April 1, 2022, ~~and ending March 31, 2027,~~ the postpartum
4 coverage component under G.S. 108A-146.12.
5 (6) Beginning April 1, 2024, the home and community-based services component
6 under G.S. 108A-146.12A."

7 **SECTION 9E.12.(c)** This section is effective when it becomes law.
8

9 **ENSURE MEDICAID RECEIPTS FOR NC HEALTH WORKS IMPLEMENTATION**
10 **COSTS**

11 **SECTION 9E.13.(a)** For purposes of calculating the public hospital health
12 advancement assessments and the private hospital health advancement assessments under Part 3
13 of Article 7B of Chapter 108A of the General Statutes, for the assessment quarter in which this
14 subsection becomes effective, any reference to "total nonfederal receipts for health advancement"
15 in that Part shall be to the calculation in this subsection, notwithstanding the calculation under
16 G.S. 108A-147.3(b). The amount of the total nonfederal receipts for health advancement shall be
17 calculated by adding all of the following:

- 18 (1) The presumptive service cost component calculated under G.S. 108A-147.5.
19 (2) The HASP health advancement component calculated under
20 G.S. 108A-147.6.
21 (3) The administration component calculated under G.S. 108A-147.7.
22 (4) The State retention component under G.S. 108A-147.9.
23 (5) The positive or negative health advancement reconciliation adjustment
24 component calculated under G.S. 108A-147.11(a).
25 (6) Twelve million eight hundred thousand dollars (\$12,800,000).

26 **SECTION 9E.13.(b)** Notwithstanding the limitation on the use of funds under
27 G.S. 108A-147.13(a), DHHS may use twelve million eight hundred thousand dollars
28 (\$12,800,000) of the receipts collected under Part 3 of Article 7B of Chapter 108A of the General
29 Statutes during the 2025-2026 fiscal year for the Medicaid program.

30 **SECTION 9E.13.(c)** No later than September 1, 2025, DHHS shall submit to the
31 Joint Legislative Oversight Committee on Medicaid and the Fiscal Research Division a report
32 that details the amount of funds that DHHS provided to each county department of social services
33 from funding sources other than the proceeds of the health advancement assessments during the
34 2023-2024 fiscal year and the 2024-2025 fiscal year for the implementation of NC Health Works
35 under Section 1.1 of S.L. 2023-7 and the date that those amounts were provided to each county
36 department of social services.

37 **SECTION 9E.13.(d)** Subsections (a) and (b) of this section are effective on the first
38 day of the next assessment quarter after this act becomes law.
39

40 **ENSURE CERTAIN MEDICAID RECEIPTS**

41 **SECTION 9E.14.(a)** For purposes of calculating the public hospital modernized
42 assessments and the private hospital modernized assessments under Part 2 of Article 7B of
43 Chapter 108A of the General Statutes, for the assessment quarter in which this subsection
44 becomes effective, any reference to "total modernized nonfederal receipts" in that Part shall be
45 to the calculation in this subsection, notwithstanding the calculation under G.S. 108A-146.5(b).
46 The amount of the total modernized nonfederal receipts shall be calculated by adding all of the
47 following:

- 48 (1) One-fourth of the State's annual Medicaid payment as defined in
49 G.S. 108A-145.3.
50 (2) The managed care component under G.S. 108A-146.7.
51 (3) The fee-for-service component under G.S. 108A-146.9.

- 1 (4) The modernized HASP component under G.S. 108A-146.10.
2 (5) The GME component under G.S. 108A-146.11.
3 (6) The postpartum coverage component under G.S. 108A-146.12.
4 (7) Ten million seven hundred fifty thousand dollars (\$10,750,000).

5 **SECTION 9E.14.(b)** Notwithstanding the limitation on the use of funds under
6 G.S. 108A-146.15, the Department of Health and Human Services may use up to ten million
7 seven hundred fifty thousand dollars (\$10,750,000) of the receipts collected under Part 2 of
8 Article 7B of Chapter 108A of the General Statutes during the 2025-2026 fiscal year for the
9 Medicaid program.

10 **SECTION 9E.14.(c)** Subsections (a) and (b) of this section are effective on the first
11 day of the next assessment quarter after this act becomes law.

13 INCREASE STATE RETENTION ON HOSPITAL ASSESSMENTS

14 **SECTION 9E.15.(a)** G.S. 108A-145.3 reads as rewritten:

15 "§ 108A-145.3. Definitions.

16 The following definitions apply in this Article:

17 ...

- 18 (23) State's annual Medicaid payment. – An annual amount equal to one hundred
19 ten million dollars (\$110,000,000) for the period July 1, 2021, through June
20 30, 2022, increased each year over the prior year's payment by the market
21 basket ~~percentage~~percentage, through June 30, 2026. Beginning July 1, 2026,
22 the State's annual Medicaid payment is an annual amount equal to one hundred
23 fifty-four million six hundred thirty-six thousand seven hundred eighty-three
24 dollars (\$154,636,783), increased by the market basket percentage, for the
25 period July 1, 2026, through June 30, 2027, and increased each year thereafter
26 over the prior year's payment by the market basket percentage.

27"

28 **SECTION 9E.15.(b)** Subsection (a) of this section is effective July 1, 2026, and
29 applies to assessments imposed on or after that date.

30 **SECTION 9E.15.(c)** For purposes of calculating the public hospital modernized
31 assessments and the private hospital modernized assessments under Part 2 of Article 7B of
32 Chapter 108A of the General Statutes, for the assessment quarter in which this subsection
33 becomes effective, any reference to "total modernized nonfederal receipts" in that Part shall be
34 to the calculation in this subsection, notwithstanding the calculation under G.S. 108A-146.5(b).
35 The amount of the total modernized nonfederal receipts shall be calculated by adding all of the
36 following:

- 37 (1) One-fourth of the State's annual Medicaid payment as defined in
38 G.S. 108A-145.3.
39 (2) The managed care component under G.S. 108A-146.7.
40 (3) The fee-for-service component under G.S. 108A-146.9.
41 (4) The modernized HASP component under G.S. 108A-146.10.
42 (5) The GME component under G.S. 108A-146.11.
43 (6) The postpartum coverage component under G.S. 108A-146.12.
44 (7) Thirty million dollars (\$30,000,000).

45 **SECTION 9E.15.(d)** Notwithstanding the limitation on the use of funds under
46 G.S. 108A-146.15, the Department of Health and Human Services may use up to thirty million
47 dollars (\$30,000,000) of the receipts collected under Part 2 of Article 7B of Chapter 108A of the
48 General Statutes, in addition to the receipts described in Section 9E.14(b) of this act, during the
49 2025-2026 fiscal year for the Medicaid program.

50 **SECTION 9E.15.(e)** Subsections (c) and (d) of this section are effective on the first
51 day of the second assessment quarter after this act becomes law.

MEDICAID HASP REIMBURSEMENT FOR PSYCHIATRIC HOSPITALS

SECTION 9E.16.(a) G.S. 108A-148.1(a) reads as rewritten:

"(a) The healthcare access and stabilization program is a directed payment program that provides acute care hospitals with increased reimbursements funded through hospital assessments in accordance with this section. Upon the approval of CMS, the healthcare access and stabilization program directed payment program shall additionally provide qualifying freestanding psychiatric hospitals with increased reimbursements funded through hospital assessments. A qualifying freestanding psychiatric hospital is a freestanding psychiatric hospital as defined in G.S. 108A-145.3 that is Medicare-certified and submits Hospital Cost Report Information System cost report data to CMS."

SECTION 9E.16.(b) The Department of Health and Human Services shall submit a 42 C.F.R. § 438.6(c) preprint requesting approval to include freestanding psychiatric hospitals in the healthcare access and stabilization program (HASP) authorized under G.S. 108A-148.1, as amended by subsection (a) of this section.

SECTION 9E.16.(c) G.S. 108A-145.3 reads as rewritten:

"§ 108A-145.3. Definitions.

The following definitions apply in this Article:

...

(6c) Freestanding psychiatric hospital. – A hospital facility that is (i) licensed under Article 2 of Chapter 122C of the General Statutes, (ii) primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of individuals with mental illnesses, and (iii) not State-owned and State-operated.

(6d) HASP directed payments. – Payments made by the Department to prepaid health plans to be used for (i) increased reimbursements to hospitals under the HASP program and (ii) the costs to prepaid health plans from the gross premiums tax under G.S. 105-228.5 and the insurance regulatory charge under G.S. 58-6-25 associated with those hospital reimbursements.

~~(6d)~~(6e) Healthcare access and stabilization program (HASP). – The directed payment program providing increased reimbursements to acute care hospitals and freestanding psychiatric hospitals as approved by CMS and authorized by G.S. 108A-148.1.

...."

SECTION 9E.16.(d) G.S. 108A-146.1 reads as rewritten:

"§ 108A-146.1. Public hospital modernized assessment.

(a) The public hospital modernized assessment imposed under this Part shall apply to all public acute care hospitals.

(b) The public hospital modernized assessment shall be assessed as a percentage of each public acute care hospital's hospital costs. The assessment percentage shall be calculated quarterly by the Department of Health and Human Services in accordance with this Part. The percentage for each quarter shall equal the aggregate acute care hospital modernized assessment collection amount under G.S. 108A-146.5 multiplied by the public hospital historical assessment share and divided by the total hospital costs for all public acute care hospitals holding a license on the first day of the assessment quarter."

SECTION 9E.16.(e) G.S. 108A-146.3 reads as rewritten:

"§ 108A-146.3. Private hospital modernized assessment.

(a) The private hospital modernized assessment imposed under this Part shall apply to all private acute care hospitals.

(b) The private hospital modernized assessment shall be assessed as a percentage of each private acute care hospital's hospital costs. The assessment percentage shall be calculated

1 quarterly by the Department of Health and Human Services in accordance with this Part. The
2 percentage for each quarter shall equal the aggregate acute care hospital modernized assessment
3 collection amount under G.S. 108A-146.5 multiplied by the private hospital historical assessment
4 share and divided by the total hospital costs for all private acute care hospitals holding a license
5 on the first day of the assessment quarter."

6 **SECTION 9E.16.(f)** Part 2 of Article 7B of Chapter 108A of the General Statutes is
7 amended by adding a new section to read:

8 **"§ 108A-146.4. Freestanding psychiatric hospital modernized assessment.**

9 (a) The freestanding psychiatric hospital modernized assessment imposed under this Part
10 shall apply to all freestanding psychiatric hospitals.

11 (b) The freestanding psychiatric hospital modernized assessment shall be assessed as a
12 percentage of each freestanding psychiatric hospital's hospital costs. The assessment percentage
13 shall be calculated quarterly by the Department of Health and Human Services in accordance
14 with this Part. The percentage for each quarter shall equal the modernized freestanding
15 psychiatric hospital HASP component under G.S. 108A-146.10A divided by the total hospital
16 costs for all freestanding psychiatric hospitals holding a license on the first day of the assessment
17 quarter."

18 **SECTION 9E.16.(g)** G.S. 108A-146.5 reads as rewritten:

19 **"§ 108A-146.5. Aggregate acute care hospital modernized assessment collection amount.**

20 (a) The aggregate modernized assessment collection amount is an amount of money that
21 is calculated by subtracting the modernized intergovernmental transfer adjustment component
22 under G.S. 108A-146.13 from the total modernized nonfederal receipts under subsection (b) of
23 this section and then adding the positive or negative amount of the modernized IGT actual
24 receipts adjustment component under G.S. 108A-146.14.

25 (b) The total modernized nonfederal receipts is the sum of all of the following:

26 (1) One-fourth of the State's annual Medicaid payment.

27 (2) The managed care component under G.S. 108A-146.7.

28 (3) The fee-for-service component under G.S. 108A-146.9.

29 (3a) The modernized acute care hospital HASP component under
30 G.S. 108A-146.10.

31 (3b) The modernized freestanding psychiatric hospital HASP component under
32 G.S. 108A-146.10A.

33 (4) The GME component under G.S. 108A-146.11.

34 (5) Beginning April 1, 2022, and ending March 31, 2027, the postpartum
35 coverage component under G.S. 108A-146.12.

36 (6) Beginning April 1, 2024, the home and community-based services component
37 under G.S. 108A-146.12A.

38 (c) The aggregate acute care hospital modernized assessment collection amount is an
39 amount of money equal to the aggregate modernized assessment collection amount under
40 subsection (a) of this section minus the modernized freestanding psychiatric hospital HASP
41 component under G.S. 108A-146.10A."

42 **SECTION 9E.16.(h)** G.S. 108A-146.10 reads as rewritten:

43 **"§ 108A-146.10. Modernized acute care hospital HASP component.**

44 The modernized acute care hospital HASP component is an amount of money that is
45 calculated each quarter by multiplying the aggregate amount of HASP directed payments due to
46 PHPs in the current quarter for ~~hospital~~-reimbursements to acute care hospitals that are not
47 attributable to newly eligible individuals by the nonfederal share for not newly eligible
48 individuals."

49 **SECTION 9E.16.(i)** Part 2 of Article 7B of Chapter 108A of the General Statutes is
50 amended by adding a new section to read:

51 **"§ 108A-146.10A. Modernized freestanding psychiatric hospital HASP component.**

1 The modernized freestanding psychiatric hospital HASP component is an amount of money
2 that is calculated each quarter by multiplying the aggregate amount of HASP directed payments
3 due to PHPs in the current quarter for reimbursements to freestanding psychiatric hospitals that
4 are not attributable to newly eligible individuals by the nonfederal share for not newly eligible
5 individuals."

6 **SECTION 9E.16.(j)** G.S. 108A-146.13 reads as rewritten:

7 "**§ 108A-146.13. Modernized presumptive IGT adjustment component.**

8 ...

9 (c) The modernized presumptive IGT adjustment component is an amount of money
10 equal to the sum of all of the following subcomponents:

11 (1) The public hospital IGT subcomponent is the total of the following amounts:

12 a. Sixteen and forty-three hundredths percent (16.43%) of the amount of
13 money that is equal to the total modernized nonfederal receipts under
14 G.S. 108A-146.5(b) for the current quarter minus the modernized
15 acute care hospital HASP component under G.S. 108A-146.10 for the
16 current quarter and minus the modernized freestanding psychiatric
17 hospital HASP component under G.S. 108A-146.10A for the current
18 quarter.

19 b. Sixty percent (60%) of the nonfederal share for not newly eligible
20 individuals of the aggregate amount of HASP directed payments due
21 to PHPs in the current quarter for reimbursements to public acute care
22 hospitals and that are not attributable to newly eligible individuals.

23 (2) The UNC Health Care System IGT subcomponent is the total of the following
24 amounts:

25 a. Four and sixty-two hundredths percent (4.62%) of the ~~difference of~~
26 amount of money that is equal to the total modernized nonfederal receipts under G.S. 108A-146.5(b) for the current quarter minus the
27 modernized acute care hospital HASP component under
28 G.S. 108A-146.10 for the current quarter and minus the modernized
29 freestanding psychiatric hospital HASP component under
30 G.S. 108A-146.10A for the current quarter.

31 b. The nonfederal share for not newly eligible individuals of the
32 aggregate amount of HASP directed payments due to PHPs in the
33 current quarter for reimbursements to UNC Health Care System
34 hospitals that are not attributable to newly eligible individuals.

35 (3) The East Carolina University IGT subcomponent is the total of the following
36 amounts:

37 a. One and four hundredths percent (1.04%) of the ~~difference of amount~~
38 of money that is equal to the total modernized nonfederal receipts
39 under G.S. 108A-146.5(b) for the current quarter minus the
40 modernized acute care hospital HASP component under
41 G.S. 108A-146.10 for the current quarter and minus the modernized
42 freestanding psychiatric hospital HASP component under
43 G.S. 108A-146.10A for the current quarter.

44 b. The nonfederal share for not newly eligible individuals of the
45 aggregate amount of HASP directed payments due to PHPs in the
46 current quarter for reimbursements to the primary affiliated teaching
47 hospital for the East Carolina University Brody School of Medicine
48 that are not attributable to newly eligible individuals."
49

50 **SECTION 9E.16.(k)** G.S. 108A-147.1 reads as rewritten:

51 "**§ 108A-147.1. Public hospital health advancement assessment.**

1 (a) The public hospital health advancement assessment imposed under this Part shall
2 apply to all public acute care hospitals.

3 (b) The public hospital health advancement assessment shall be assessed as a percentage
4 of each public acute care hospital's hospital costs. The assessment percentage shall be calculated
5 quarterly by the Department in accordance with this Part. The percentage for each quarter shall
6 equal the aggregate acute care hospital health advancement assessment collection amount
7 calculated under G.S. 108A-147.3 multiplied by the public hospital historical assessment share
8 and divided by the total hospital costs for all public acute care hospitals holding a license on the
9 first day of the assessment quarter."

10 **SECTION 9E.16.(l)** G.S. 108A-147.2 reads as rewritten:

11 "**§ 108A-147.2. Private hospital health advancement assessment.**

12 (a) The private hospital health advancement assessment imposed under this Part shall
13 apply to all private acute care hospitals.

14 (b) The private hospital health advancement assessment shall be assessed as a percentage
15 of each private acute care hospital's hospital costs. The assessment percentage shall be calculated
16 quarterly by the Department in accordance with this Part. The percentage for each quarter shall
17 equal the aggregate acute care hospital health advancement assessment collection amount
18 calculated under G.S. 108A-147.3 multiplied by the private hospital historical assessment share
19 and divided by the total hospital costs for all private acute care hospitals holding a license on the
20 first day of the assessment quarter."

21 **SECTION 9E.16.(m)** Part 3 of Article 7B of Chapter 108A of the General Statutes
22 is amended by adding a new section to read:

23 "**§ 108A-147.2A. Freestanding psychiatric hospital health advancement assessment.**

24 (a) The freestanding psychiatric hospital health advancement assessment imposed under
25 this Part shall apply to all freestanding psychiatric hospitals.

26 (b) The freestanding psychiatric hospital health advancement assessment shall be
27 assessed as a percentage of each freestanding psychiatric hospital's hospital costs. The assessment
28 percentage shall be calculated quarterly by the Department in accordance with this Part. The
29 percentage for each quarter shall equal the health advancement freestanding psychiatric hospital
30 HASP component calculated under G.S. 108A-147.6A divided by the total hospital costs for all
31 freestanding psychiatric hospitals holding a license on the first day of the assessment quarter."

32 **SECTION 9E.16.(n)** G.S. 108A-147.3 reads as rewritten:

33 "**§ 108A-147.3. Aggregate acute care hospital health advancement assessment collection**
34 **amount.**

35 (a) The aggregate health advancement assessment collection amount is an amount of
36 money that is calculated quarterly by adjusting the total nonfederal receipts for health
37 advancement calculated under subsection (b) of this section by (i) subtracting the health
38 advancement presumptive IGT adjustment component calculated under G.S. 108A-147.9, (ii)
39 adding the positive or negative health advancement IGT actual receipts adjustment component
40 calculated under G.S. 108A-147.10, and (iii) subtracting the positive or negative IGT share of
41 the reconciliation adjustment component calculated under G.S. 108A-147.11(b).

42 (b) The total nonfederal receipts for health advancement is an amount of money that is
43 calculated quarterly by adding all of the following:

44 (1) The presumptive service cost component calculated under G.S. 108A-147.5.

45 (2) The ~~HASP~~—health advancement acute care hospital HASP component
46 calculated under G.S. 108A-147.6.

47 (2a) The health advancement freestanding psychiatric hospital HASP component
48 calculated under G.S. 108A-147.6A.

49 (3) The administration component calculated under G.S. 108A-147.7.

50 (4) The State retention component under G.S. 108A-147.9.

(5) The positive or negative health advancement reconciliation adjustment component calculated under G.S. 108A-147.11(a).

(c) The aggregate acute care hospital health advancement assessment collection amount is an amount of money equal to the aggregate health advancement assessment collection amount under subsection (a) of this section minus the health advancement freestanding psychiatric hospital HASP component under G.S. 108A-147.6A."

SECTION 9E.16.(o) G.S. 108A-147.5 reads as rewritten:

"§ 108A-147.5. Presumptive service cost component.

(a) For every State fiscal quarter prior to the fiscal quarter in which G.S. 108A-54.3A(24) becomes effective, the presumptive service cost component is zero.

(b) For the State fiscal quarter in which G.S. 108A-54.3A(24) becomes effective, the presumptive service cost component is the product of forty-eight million seven hundred fifty thousand dollars (\$48,750,000) multiplied by the number of months in that State fiscal quarter in which G.S. 108A-54.3A(24) is effective during any part of the month.

(c) For the first State fiscal quarter after the State fiscal quarter in which G.S. 108A-54.3A(24) becomes effective, the presumptive service cost component is one hundred forty-six million two hundred fifty thousand dollars (\$146,250,000).

(d) For the second State fiscal quarter after the State fiscal quarter in which G.S. 108A-54.3A(24) becomes effective, and for each State fiscal quarter thereafter, the presumptive service cost component is an amount of money that is the greatest of the following:

(1) The prior quarter's presumptive service cost component amount.

(2) The prior quarter's presumptive service cost component amount increased by a percentage that is the sum of each monthly percentage change in the Consumer Price Index: Medical Care for the most recent three months available on the first day of the current quarter.

(3) The prior quarter's presumptive service cost component amount increased by the percentage change in the weighted average of the base capitation rates for standard benefit plans for all rating groups associated with newly eligible individuals compared to the prior quarter. The weight for each rating group shall be calculated using member months documented in the Medicaid managed care capitation rate certification for standard benefit plans.

(4) The prior quarter's presumptive service cost component amount increased by the percentage change in the weighted average of the base capitation rates for BH IDD tailored plans for all rating groups associated with newly eligible individuals compared to the prior quarter. The weight for each rating group shall be calculated using member months documented in the Medicaid managed care capitation rate certification for BH IDD tailored plans.

(5) The amount produced from multiplying 1.15 by the highest amount produced when calculating, for each quarter that is at least two and not more than five quarters prior to the current quarter, the actual nonfederal expenditures for the applicable quarter minus the ~~HASP~~ health advancement acute care hospital HASP component calculated under G.S. 108A-147.6 for the applicable quarter and minus the health advancement freestanding psychiatric hospital HASP component calculated under G.S. 108A-147.6A for the applicable quarter."

SECTION 9E.16.(p) G.S. 108A-147.6 reads as rewritten:

"§ 108A-147.6. ~~HASP health~~ Health advancement acute care hospital HASP component.

The ~~HASP~~ health advancement acute care hospital HASP component is an amount of money that is calculated by multiplying the aggregate amount of HASP directed payments due to PHPs in the current quarter for ~~hospital~~ reimbursements to acute care hospitals attributable to newly eligible individuals by the nonfederal share for newly eligible individuals."

1 **SECTION 9E.16.(q)** Part 3 of Article 7B of Chapter 108A of the General Statutes
2 is amended by adding a new section to read:

3 **"§ 108A-147.6A. Health advancement freestanding psychiatric hospital HASP component.**

4 The health advancement freestanding psychiatric hospital HASP component is an amount of
5 money that is calculated by multiplying the aggregate amount of HASP directed payments due
6 to PHPs in the current quarter for reimbursements to freestanding psychiatric hospitals
7 attributable to newly eligible individuals by the nonfederal share for newly eligible individuals."

8 **SECTION 9E.16.(r)** G.S. 108A-147.11 reads as rewritten:

9 **"§ 108A-147.11. Health advancement reconciliation adjustment component.**

10 (a) The health advancement reconciliation adjustment component is a positive or
11 negative dollar amount equal to the actual nonfederal expenditures for the quarter that is two
12 quarters prior to the current quarter minus the sum of the following specified amounts:

13 (1) The presumptive service cost component calculated under G.S. 108A-147.5
14 for the quarter that is two quarters prior to the current quarter.

15 (2) The positive or negative gross premiums tax offset amount calculated under
16 G.S. 108A-147.12(b).

17 (3) The ~~HASP~~ health advancement acute care hospital HASP component
18 calculated under G.S. 108A-147.6 for the quarter that is two quarters prior to
19 the current quarter.

20 (4) The health advancement freestanding psychiatric hospital HASP component
21 calculated under G.S. 108A-147.6A for the quarter that is two quarters prior
22 to the current quarter.

23 (b) The IGT share of the reconciliation adjustment component is a positive or negative
24 dollar amount that is calculated by multiplying the health advancement reconciliation adjustment
25 component calculated under subsection (a) of this section by the share of public hospital costs
26 calculated under subsection (c) of this section.

27 (c) The share of public hospital costs is calculated by adding total hospital costs for the
28 UNC Health Care System, total hospital costs for the primary affiliated teaching hospital for the
29 East Carolina University Brody School of Medicine, and sixty percent (60%) of the total hospital
30 costs for all public acute care hospitals and dividing that sum by the total hospital costs for all
31 acute care hospitals except for critical access hospitals."

32 **SECTION 9E.16.(s)** Subsections (c) through (r) of this section are effective on the
33 first day of the third assessment quarter after the date this act becomes law and apply to
34 assessments imposed on or after that date. The remainder of this section is effective when it
35 becomes law.

37 **EXTEND PRIMARY CARE TASK FORCE**

38 **SECTION 9E.17.(a)** Section 9E.28 of S.L. 2023-134 reads as rewritten:

39 **"SECTION 9E.28.(a)** There is established the North Carolina Primary Care Payment
40 Reform Task Force (Task Force) within the Department of Health and Human Services, Division
41 of Health Benefits, for budgetary purposes only.

42 ...

43 **"SECTION 9E.28.(b)** The Task Force established under subsection (a) of this section shall
44 have the following duties:

45 (1) Establish a definition of primary care to be utilized by the Task Force. This
46 term should be applicable to services and care provided under the NC
47 Medicaid program, the State Health Plan, and commercial insurance.

48 (2) Conduct an actuarial evaluation of the current healthcare spend on primary
49 care services, both as it relates to the NC Medicaid program and the
50 commercial market, including Medicare Advantage plans.

- 1 (3) Determine the adequacy of the primary care delivery system in North
- 2 Carolina, including the impact this system has on the supply of the primary
- 3 care providers in this State.
- 4 (4) Study the primary care payment landscape in other states, specifically
- 5 considering states that have implemented a minimum primary care spend.
- 6 (5) Identify data collection and measurement systems to inform creation of a
- 7 primary care investment target for the NC Medicaid program, the State Health
- 8 Plan, and commercial insurance. This includes a method by which to measure
- 9 improvements made toward that target.
- 10 (5a) Collect and compile data and other information related to healthcare spend on
- 11 primary care services in a manner that is compliant with the Health Insurance
- 12 Portability and Accountability Act of 1996 (HIPAA). Within 45 days of a
- 13 request for data or information from the Task Force, all entities shall comply
- 14 with the Task Force's request.
- 15 (6) Evaluate the need for a permanent Primary Care Payment Reform Task Force,
- 16 or other similar entity, including which State agency or body is best suited to
- 17 oversee the work of that group.
- 18 (7) Perform any other studies, evaluations, or determinations the Task Force
- 19 considers necessary.

20 **"SECTION 9E.28.(b1)** The Department of Health and Human Services shall develop, and
 21 the Task Force and the Department of Health and Human Services shall implement, a detailed
 22 data security and safeguarding plan for the data requested pursuant to subsection (b) of this
 23 section that includes all of the following:

- 24 (1) Guidelines for authorizing access to the data, including guidelines for
- 25 authentication of authorized access.
- 26 (2) Privacy compliance standards.
- 27 (3) Privacy and security audits.
- 28 (4) Breach planning, notification, and procedures.
- 29 (5) Data retention and disposition policies.
- 30 (6) Data security policies, including electronic, physical, and administrative
- 31 safeguards such as data encryption and training of employees.

32 **"SECTION 9E.28.(b2)** The data collected by the Task Force under subsection (b) of this
 33 section, regardless of where it is housed, shall be used only for the purposes of this task force
 34 and shall not be considered a public record within the meaning of Chapter 132 of the General
 35 Statutes.

36 **"SECTION 9E.28.(c)** No later than April 1, 2024, and April 1, 2026, the Task Force shall
 37 submit a report with its findings and recommendations to the Joint Legislative Oversight
 38 Committee on Health and Human Services and the Joint Legislative Oversight Committee on
 39 Medicaid. These findings and recommendations shall include specific, concrete, and actionable
 40 steps to be undertaken by the State and upon which the General Assembly could act.

41 **"SECTION 9E.28.(d)** This section shall expire on ~~May 1, 2024.~~ December 31, 2026."

42 **SECTION 9E.17.(b)** This section is effective retroactively to July 1, 2023.

43
 44 **NUMBER OF MEDICAID STANDARD PLAN CONTRACTS**

45 **SECTION 9E.18.(a)** G.S. 108D-1 reads as rewritten:

46 **"§ 108D-1. Definitions.**

47 The following definitions apply in this Chapter:

48 ...

49 (31e) Provider-led entity or PLE. – As defined in G.S. 58-93-5.

50"

51 **SECTION 9E.18.(b)** G.S. 108D-45 reads as rewritten:

"§ 108D-45. Number and nature of contracts for standard benefit plans.

(a) The For the initial standard benefit plan contracts required under G.S. 108D-65(6), the number and nature of the contracts for standard benefit plans required under G.S. 108D-65(6) those contracts shall be as follows:

- (1) Four contracts between the Division of Health Benefits and PHPs to provide coverage to Medicaid recipients statewide.
- (2) Up to 12 contracts between the Division of Health Benefits and PLEs for coverage of regions specified by the Division of Health Benefits pursuant to G.S. 108D-65(2). Regional contracts shall be in addition to the four statewide contracts required under subdivision (1) of this section. Each regional contract shall provide coverage throughout the entire region for the Medicaid services required by G.S. 108D-35. A PLE may bid for more than one regional contract, provided that the regions are contiguous.
- (3) Repealed by Session Laws 2023-134, s. 9E.22(i), effective October 3, 2023.
- (4) Initial capitated PHP contracts may be awarded on staggered terms of three to five years in duration to ensure against gaps in coverage that may result from termination of a contract by the PHP or the State.

(b) For any standard benefit plan contracts required under G.S. 108D-65(6) that are awarded subsequent to the initial standard benefit plan contracts, the number and nature of those contracts shall be as follows:

- (1) Four contracts between the Division of Health Benefits and PHPs to provide coverage to Medicaid recipients statewide.
- (2) Up to two contracts between the Division of Health Benefits and PLEs for coverage of regions specified by the Division of Health Benefits pursuant to G.S. 108D-65(2) in accordance with all of the following:
 - a. The contracts under this subdivision shall be in addition to the four statewide contracts required under subdivision (1) of this subsection.
 - b. Each regional contract under this subdivision shall provide coverage throughout the entire region for the Medicaid services required by G.S. 108D-35.
 - c. A regional contract may cover more than one region provided that the regions are contiguous.
 - d. If less than two PLEs submit a timely response meeting the requirements, as determined by the Division of Health Benefits, of the RFP to procure a standard benefit plan contract under this subdivision, then all PLEs that submitted a timely response meeting the requirements of the RFP shall be awarded a standard benefit plan contract based on the area proposed to be served in the RFP response.
 - e. If two or more PLEs submit a timely response meeting the requirements, as determined by the Division of Health Benefits, of the RFP to procure a standard benefit plan contract under this subdivision, then the Division of Health Benefits shall award two standard benefit plan contracts to PLEs based on the area proposed to be served in the RFP response."

SECTION 9E.18.(c) This section is effective when it becomes law.

ACCREDITATION FOR MEDICAID MANAGED CARE ENTITIES

SECTION 9E.19.(a) G.S. 108D-65(6) reads as rewritten:

"§ 108D-65. Role of the Department.

The role and responsibility of the Department during Medicaid transformation shall include the following activities and functions:

1 ...
 2 (6) Enter into capitated PHP contracts for the delivery of the Medicaid services
 3 described in G.S. 108D-35. All contracts shall be the result of requests for
 4 proposals (RFPs) issued by the Department and the submission of competitive
 5 bids by PHPs. The Department shall develop standardized contract terms, to
 6 include at a minimum, the following:

7 ...
 8 h. A requirement that managed care entities attain and maintain
 9 accreditation from a nationally recognized managed care accrediting
 10 organization, including the National Committee for Quality Assurance
 11 (NCQA), the Joint Commission on Accreditation of Healthcare
 12 Organizations, URAC, or another organization approved by the
 13 Division, chosen by the managed care entity."

14 **SECTION 9E.19.(b)** This section is effective when it becomes law and applies to
 15 contracts entered into on or after that date.

17 **REDUCING USE OF INAPPROPRIATE SETTINGS FOR DELIVERY OF** 18 **BEHAVIORAL HEALTH SERVICES**

19 **SECTION 9E.20.(a)** Section 9D.22 of S.L. 2021-180, as amended by Section 9D.9
 20 of S.L. 2022-74 and Section 9E.19 of S.L. 2023-134, expires July 1, 2025.

21 **SECTION 9E.20.(b)** No later than October 1, 2025, the Department of Health and
 22 Human Services (DHHS) shall report to the Joint Legislative Oversight Committee on Health
 23 and Human Services and the Joint Legislative Oversight Committee on Medicaid on DHHS's
 24 recent efforts to address the issue of the inappropriate use of acute care hospital settings for the
 25 delivery of behavioral health services. The report shall include all of the following:

- 26 (1) Actions DHHS has taken since July 1, 2023, and plans to take through June
 27 30, 2027, to address this issue.
- 28 (2) An analysis of any gaps that will remain once current plans are implemented,
 29 as well as any additional authority, resources, and funding needed to address
 30 those gaps.
- 31 (3) Any impact, or anticipated impact, from the implementation of behavioral
 32 health and intellectual/developmental disabilities tailored plans on this issue.
- 33 (4) The metrics DHHS uses and will use to measure the effectiveness of actions
 34 taken to address this issue.
- 35 (5) Any measurable progress toward addressing this issue.

37 **PART IX-F. HEALTH SERVICE REGULATION**

39 **CHARITY CARE EXEMPTION FOR CERTAIN QUALIFIED URBAN AMBULATORY** 40 **SURGICAL FACILITIES**

41 **SECTION 9F.1.(a)** G.S. 131E-147.5, as enacted by Section 3.2(c) of S.L. 2023-7,
 42 reads as rewritten:

43 "**§ 131E-147.5. Charity care requirement for qualified urban ambulatory surgical**
 44 **facilities; annual report.**

45 (a) The percentage of each qualified urban ambulatory surgical facility's total earned
 46 revenue that is attributed to self-pay and Medicaid revenue shall be equivalent to at least four
 47 percent (4%), calculated as follows: the Medicare allowable amount for self-pay and Medicaid
 48 surgical cases minus all revenue earned from self-pay and Medicaid cases, divided by the total
 49 earned revenues for all surgical cases, divided by the total earned revenues for all surgical cases
 50 performed in the facility for procedures for which there is a Medicare allowable fee.

1 (b) Each qualified urban ambulatory surgical facility shall annually report to the
2 Department in the manner prescribed by the Department the percentage of the facility's earned
3 revenue that is attributed to self-pay and Medicaid revenue, as calculated in accordance with
4 subsection (a) of this section.

5 (c) Qualified ambulatory surgical facilities in counties with a population greater than
6 125,000 that were licensed prior to November 21, 2025, are exempt from these requirements."

7 **SECTION 9F.1.(b)** This section becomes effective November 1, 2025.
8

9 **REPEAL CERTIFICATE OF NEED LAWS**

10 **SECTION 9F.2.(a)** G.S. 6-19.1(a) reads as rewritten:

11 "(a) In any civil action, other than an adjudication for the purpose of establishing or fixing
12 a rate, or a disciplinary action by a licensing board, brought by the State or brought by a party
13 who is contesting State action pursuant to G.S. 150B-43 or any other appropriate provisions of
14 law, unless the prevailing party is the State, the court may, in its discretion, allow the prevailing
15 party to recover reasonable attorney's fees, including attorney's fees applicable to the
16 administrative review portion of the case, in contested cases arising under Article 3 of Chapter
17 150B, to be taxed as court costs against the appropriate agency if:

- 18 (1) The court finds that the agency acted without substantial justification in
19 pressing its claim against the party; and
- 20 (2) The court finds that there are no special circumstances that would make the
21 award of attorney's fees unjust. The party shall petition for the attorney's fees
22 within 30 days following final disposition of the case. The petition shall be
23 supported by an affidavit setting forth the basis for the request.

24 ~~Nothing in this section shall be deemed to authorize the assessment of attorney's fees for the~~
25 ~~administrative review portion of the case in contested cases arising under Article 9 of Chapter~~
26 ~~131E of the General Statutes.~~

27 Nothing in this section grants permission to bring an action against an agency otherwise
28 immune from suit or gives a right to bring an action to a party who otherwise lacks standing to
29 bring the action.

30 Any attorney's fees assessed against an agency under this section shall be charged against the
31 operating expenses of the agency and shall not be reimbursed from any other source."

32 **SECTION 9F.2.(b)** Subsection (a) of this section applies to contested cases arising
33 on or after January 1, 2026.

34 **SECTION 9F.2.(c)** G.S. 7A-29(a) reads as rewritten:

35 "(a) From any final order or decision of the North Carolina Utilities Commission not
36 governed by subsection (b) of this section, ~~the Department of Health and Human Services under~~
37 ~~G.S. 131E-188(b)~~, the North Carolina Industrial Commission, the North Carolina State Bar under
38 G.S. 84-28, the Property Tax Commission under G.S. 105-290 and G.S. 105-342, the
39 Commissioner of Insurance under G.S. 58-2-80, the State Board of Elections under
40 G.S. 163-127.6, the Office of Administrative Hearings under G.S. 126-34.02, or the Secretary of
41 Environmental Quality under G.S. 104E-6.2 or G.S. 130A-293, appeal as of right lies directly to
42 the Court of Appeals."

43 **SECTION 9F.2.(d)** Subsection (c) of this section applies to appeals arising on or
44 after January 1, 2026.

45 **SECTION 9F.2.(e)** G.S. 58-50-61(a) reads as rewritten:

46 "(a) Definitions. – As used in this section, in G.S. 58-50-62, and in Part 4 of this Article,
47 the term:

48 ...

49 (7a) "Health care facility" means a hospital; long-term care hospital; psychiatric
50 facility; rehabilitation facility; nursing home facility; adult care home; kidney
51 disease treatment center, including freestanding hemodialysis units;

intermediate care facility for individuals with intellectual disabilities; home health agency office; chemical dependency treatment facility; diagnostic center; hospice office, hospice inpatient facility, or hospice residential care facility; or ambulatory surgical facility.

- (8) "Health care provider" means any person who is licensed, registered, or certified under Chapter 90 of the General Statutes or the laws of another state to provide health care services in the ordinary care of business or practice or a profession or in an approved education or training program; a health care facility as defined in ~~G.S. 131E-176(9b)~~ this section or the laws of another state to operate as a health care facility; or a pharmacy.

...."

SECTION 9F.2.(f) G.S. 58-55-35(a) reads as rewritten:

"(a) Whenever long-term care insurance provides coverage for the facilities, services, or physical or mental conditions listed below, unless otherwise defined in the policy and certificate, and approved by the Commissioner, the facilities, services, or conditions have the following definitions:

...

- (10) Hospice. – ~~As defined in G.S. 131E-176(13a).~~ Any coordinated program of home care with provision for inpatient care for terminally ill patients and their families. This care is provided by a medically directed interdisciplinary team directly or through an agreement under the direction of an identifiable hospice administration. A hospice program of care provides palliative and supportive medical and other health services to meet the physical, psychological, social, spiritual, and special needs of patients and their families, which are experienced during the final stages of terminal illness and during dying and bereavement.

- (11) Intermediate care facility for individuals with intellectual disabilities. – ~~As defined in G.S. 131E-176(14a).~~ Facilities licensed pursuant to Article 2 of Chapter 122C of the General Statutes for the purpose of providing health and habilitative services based on the developmental model and principles of normalization for individuals with intellectual disabilities, autism, cerebral palsy, epilepsy, or related conditions.

...."

SECTION 9F.2.(g) G.S. 90-21.82A(a) reads as rewritten:

"(a) The following definitions apply in this section:

- (1) Abortion clinic. – As defined in G.S. 131E-153.1.
 (2) Ambulatory surgical facility. – ~~As defined in G.S. 131E-176.~~ A facility licensed under Part 4 of Article 6 of Chapter 131E of the General Statutes.
 (3) Hospital. – ~~As defined in G.S. 131E-176.~~ A facility licensed under Article 5 of Chapter 131E of the General Statutes."

SECTION 9F.2.(h) G.S. 90-414.4(a1)(1) reads as rewritten:

"(1) The following providers of Medicaid services licensed to operate in the State that have an electronic health record system shall begin submitting, at a minimum, demographic and clinical data by June 1, 2018:

- a. ~~Hospitals as defined in G.S. 131E-176(13).~~ Hospitals, defined for the purposes of this section as public or private institutions which are primarily engaged in providing to inpatients, by or under supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of injured, disabled, or

1 sick persons. The term includes all facilities licensed pursuant to
2 G.S. 131E-77, except long-term care hospitals.

3 b. Physicians licensed to practice under Article 1 of Chapter 90 of the
4 General Statutes, except for licensed physicians whose primary area
5 of practice is psychiatry.

6 c. Physician assistants as defined in ~~21 NCAC 32S.0201~~21 NCAC 32S
7 .0201.

8 d. Nurse practitioners as defined in ~~21 NCAC 36.0801~~21 NCAC 36
9 .0801."

10 **SECTION 9F.2.(i)** G.S. 90-414.4(b)(1) reads as rewritten:

11 "(1) Each ~~hospital, as defined in G.S. 131E-176(13) that has an electronic health~~
12 ~~record system.~~hospital."

13 **SECTION 9F.2.(j)** G.S. 113A-12(3)e. reads as rewritten:

14 "e. A health care facility financed pursuant to Article 1 of Chapter 131A
15 of the General Statutes ~~or receiving a certificate of need under Article~~
16 ~~9 of Chapter 131E of the General Statutes."~~

17 **SECTION 9F.2.(k)** G.S. 122C-23.1(e) reads as rewritten:

18 "(e) As used in this section, "residential treatment facility" means a "residential facility"
19 as defined in and licensed under this Chapter, ~~but not subject to Certificate of Need requirements~~
20 ~~under Article 9 of Chapter 131E of the General Statutes.~~Chapter."

21 **SECTION 9F.2.(l)** G.S. 131D-2.4(a) reads as rewritten:

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

30 **SECTION 9F.2.(m)** G.S. 131E-13(a)(1) reads as rewritten:

31 "(1) The corporation shall continue to provide the same or similar clinical hospital
32 services to its patients in medical-surgery, obstetrics, pediatrics, outpatient
33 and emergency treatment, including emergency services for the indigent, that
34 the hospital facility provided prior to the lease, sale, or conveyance. These
35 services may be terminated only as prescribed ~~by Certificate of Need Law~~
36 ~~prescribed in Article 9 of Chapter 131E of the General Statutes, or, if~~
37 ~~Certificate of Need Law is inapplicable,~~ by review procedure designed to
38 guarantee public participation pursuant to rules adopted by the Secretary of
39 the Department of Health and Human Services."

40 **SECTION 9F.2.(n)** G.S. 131E-84(a1) reads as rewritten:

41 "(a1) In the event of a declaration of a state of emergency by the Governor in accordance
42 with Article 1A of Chapter 166A of the General Statutes, a declaration of a national emergency
43 by the President of the United States, a declaration of a public health emergency by the Secretary
44 of the United States Department of Health and Human Services; or to the extent necessary to
45 allow for consistency with any temporary waiver or modification issued by the Secretary of the
46 United States Department of Health and Human Services or the Centers for Medicare and
47 Medicaid Services under section 1135 or 1812(f) of the Social Security Act; or when the Division
48 of Health Service Regulation determines the existence of an emergency that poses a risk to the
49 health or safety of patients, the Division of Health Service Regulation may ~~do either or both of~~
50 ~~the following:~~

- 1 (1) ~~Temporarily temporarily~~ waive any rules of the Commission pertaining to
2 hospitals.
- 3 (2) ~~Notwithstanding G.S. 131E-183, allow a hospital to temporarily increase its~~
4 ~~bed capacity."~~

5 **SECTION 9F.2.(o)** G.S. 131E-136(4) reads as rewritten:

- 6 "(4) "Home health agency" means a home care agency which is certified to receive
7 Medicare and Medicaid reimbursement for providing nursing care, therapy,
8 medical social services, and home health aide services on a part-time,
9 intermittent ~~basis as set out in G.S. 131E-176(12), and is thereby also subject~~
10 ~~to Article 9 of Chapter 131E, basis."~~

11 **SECTION 9F.2.(p)** The following laws are repealed:

- 12 (1) Article 9 of Chapter 131E of the General Statutes.
13 (2) G.S. 130A-45.02(i).
14 (3) G.S. 131E-78.3(c).
15 (4) G.S. 131E-146(3), as enacted by Section 3.2(b) of S.L. 2023-7.
16 (5) G.S. 131E-147.5, as enacted by Section 3.2(c) of S.L. 2023-7.
17 (6) G.S. 143B-1292.
18 (7) G.S. 150B-2(8a)k.
19 (8) G.S. 150B-21.1(a)(6).

20 **SECTION 9F.2.(q)** This section becomes effective January 1, 2026.

21
22 **PART IX-G. MENTAL HEALTH/DEVELOPMENTAL DISABILITIES/SUBSTANCE**
23 **USE SERVICES**

24
25 **SINGLE-STREAM FUNDING FOR DMH/DD/SUS COMMUNITY SERVICES**

26 **SECTION 9G.1.(a)** For the purpose of mitigating cash flow problems that many
27 local management entities/managed care organizations (LME/MCOs) experience at the
28 beginning of each fiscal year relative to single-stream funding, the Department of Health and
29 Human Services, Division of Mental Health, Developmental Disabilities, and Substance Use
30 Services (DMH/DD/SUS), shall distribute not less than one-twelfth of each LME/MCO's base
31 budget allocation at the beginning of the fiscal year and subtract the amount of that distribution
32 from the LME/MCO's total reimbursements for the fiscal year. For each month of the fiscal year
33 after July, DMH/DD/SUS shall distribute, on the third working day of the month, one-eleventh
34 of the amount of each LME/MCO's single-stream allocation that remains after subtracting the
35 amount of the distribution that was made to the LME/MCO in July of the fiscal year.

36 **SECTION 9G.1.(b)** DMH/DD/SUS is directed to reduce its allocation for
37 single-stream funding by thirty million dollars (\$30,000,000) in recurring funds for each year of
38 the 2025-2027 fiscal biennium. DMH/DD/SUS shall allocate these recurring reductions for
39 single-stream funding among the LME/MCOs proportional to each LME/MCO's unrestricted
40 fund balance. This allocation will be determined at the beginning of each fiscal year and will be
41 based on the most recent unrestricted fund balance reported as of the first day of the fiscal year.
42 In the event that a county disengages from an LME/MCO and realigns with another LME/MCO
43 during the 2025-2027 fiscal biennium, DMH/DD/SUS shall have the authority to reallocate the
44 recurring reduction to each LME/MCO, taking into consideration the change in unrestricted fund
45 balance.

46 **SECTION 9G.1.(c)** During each year of the 2025-2027 fiscal biennium, each
47 LME/MCO shall offer at least the same level of service utilization as during the 2024-2025 fiscal
48 year across the LME/MCO's catchment area. This requirement shall not be construed to require
49 LME/MCOs to authorize or maintain the same level of services for any specific individual whose
50 services were paid for with single-stream funding. Further, this requirement shall not be
51 construed to create a private right of action for any person or entity against the State of North

1 Carolina or the Department of Health and Human Services or any of its divisions, agents, or
2 contractors and shall not be used as authority in any contested case brought pursuant to Chapter
3 108C or 108D of the General Statutes.

4 **SECTION 9G.1.(d)** If, on or after June 1, 2025, the Office of State Budget and
5 Management (OSBM) certifies a Medicaid budget surplus and sufficient cash in Budget Code
6 14445 to meet total obligations for the 2024-2025 fiscal year, then DHB shall transfer to
7 DMH/DD/SUS funds not to exceed the amount of the certified surplus or thirty million dollars
8 (\$30,000,000), whichever is less, to be used for single-stream funding.

9 **SECTION 9G.1.(e)** If, on or after June 1, 2026, the Office of State Budget and
10 Management (OSBM) certifies a Medicaid budget surplus and sufficient cash in Budget Code
11 14445 to meet total obligations for the 2025-2026 fiscal year, then DHB shall transfer to
12 DMH/DD/SUS funds not to exceed the amount of the certified surplus or thirty million dollars
13 (\$30,000,000), whichever is less, to be used for single-stream funding.

14 **SECTION 9G.1.(f)** If, on or after June 1, 2027, the Office of State Budget and
15 Management (OSBM) certifies a Medicaid budget surplus and sufficient cash in Budget Code
16 14445 to meet total obligations for the 2026-2027 fiscal year, then DHB shall transfer to
17 DMH/DD/SUS funds not to exceed the amount of the certified surplus or thirty million dollars
18 (\$30,000,000), whichever is less, to be used for single-stream funding.

19 **SECTION 9G.1.(g)** Subsection (d) of this section is effective June 30, 2025. The
20 remainder of this section is effective July 1, 2025.

21 **REPEAL THE MENTAL HEALTH AND SUBSTANCE USE TASK FORCE RESERVE** 22 **FUND**

23 **SECTION 9G.2.(a)** Notwithstanding Section 12F.3 of S.L. 2016-94, the Department
24 of Health and Human Services, Division of Mental Health, Developmental Disabilities, and
25 Substance Use Services, shall not expend any funds deposited into the Mental Health and
26 Substance Use Task Force Reserve Fund, established pursuant to Section 12F.3(b) of S.L.
27 2016-94.

28 **SECTION 9G.2.(b)** Effective July 1, 2026, Section 12F.3(b) of S.L. 2016-94 is
29 repealed.
30

31 **LOCAL INPATIENT PSYCHIATRIC BEDS OR BED DAYS**

32 **SECTION 9G.3.(a)** Use of Funds. – Funds appropriated in this act to the Department
33 of Health and Human Services, Division of Mental Health, Developmental Disabilities, and
34 Substance Use Services, shall continue to be used for the purchase of local inpatient psychiatric
35 beds or bed days. The Department of Health and Human Services (DHHS) shall continue to
36 implement a two-tiered system of payment for purchasing these local inpatient psychiatric beds
37 or bed days based on acuity level with an enhanced rate of payment for inpatient psychiatric beds
38 or bed days for individuals with higher acuity levels, as defined by DHHS. The enhanced rate of
39 payment for inpatient psychiatric beds or bed days for individuals with higher acuity levels shall
40 not exceed the lowest average cost per patient bed day among the State psychiatric hospitals. In
41 addition, at the discretion of the Secretary of Health and Human Services, existing funds allocated
42 to LME/MCOs for community-based mental health, developmental disabilities, and substance
43 use disorder services may be used to purchase additional local inpatient psychiatric beds or bed
44 days. DHHS may allocate funding to the LME/MCOs for the purchase of facility-based crisis,
45 nonhospital detoxification services, and peer respite services to support individuals that do not
46 meet the medical necessity for inpatient treatment and can be diverted from an inpatient hospital
47 stay.
48

49 **SECTION 9G.3.(b)** Distribution and Management of Beds or Bed Days. – DHHS
50 shall work to ensure that any local inpatient psychiatric beds or bed days purchased in accordance
51 with this section are utilized solely for individuals who are medically indigent, except that DHHS

1 may use up to forty percent (40%) of the funds appropriated in this act to the Department of
2 Health and Human Services, Division of Mental Health, Developmental Disabilities, and
3 Substance Use Services, for the purchase of local inpatient psychiatric beds or bed days to pay
4 for facility-based crisis services, nonhospital detoxification services, and peer respite services for
5 individuals in need of these services, regardless of whether the individuals are medically indigent.
6 For the purposes of this subsection, "medically indigent" shall mean uninsured persons who (i)
7 are financially unable to obtain private insurance coverage, as determined by DHHS, and (ii) are
8 not eligible for government-funded health coverage such as Medicare or Medicaid.

9 In addition, DHHS shall work to ensure that any local inpatient psychiatric beds or
10 bed days purchased in accordance with this section are distributed across the State and according
11 to need, as determined by DHHS. DHHS shall ensure that beds or bed days for individuals with
12 higher acuity levels are distributed across the State and according to greatest need based on
13 hospital bed utilization data. DHHS shall enter into contracts with LME/MCOs and local
14 hospitals for the purchase and management of the local inpatient psychiatric beds or bed days
15 and allocate up to forty percent (40%) of the total funding to the LME/MCOs for the purpose of
16 facility-based crisis services, nonhospital detoxification services, and peer respite services.
17 DHHS shall work to ensure that these contracts are awarded equitably around all regions of the
18 State. LME/MCOs shall manage and control these local inpatient psychiatric beds or bed days,
19 including the determination of the specific local hospital or State psychiatric hospital to which
20 an individual should be admitted pursuant to an involuntary commitment order.

21 DHHS shall prioritize use of local inpatient psychiatric beds or bed days funded by
22 the Dorothea Dix Hospital Property Fund established under G.S. 143C-9-2(b1).

23 **SECTION 9G.3.(c)** Funds to be Held in Statewide Reserve. – Funds appropriated in
24 this act to DHHS for the purchase of local inpatient psychiatric beds or bed days shall not be
25 allocated to LME/MCOs but shall be held in a statewide reserve at the Division of Mental Health,
26 Developmental Disabilities, and Substance Use Services to pay for services authorized by the
27 LME/MCOs and billed by the hospitals through the LME/MCOs. LME/MCOs shall remit claims
28 for payment to DHHS within 15 working days after receipt of a clean claim from the hospital
29 and shall pay the hospital within 30 working days after receipt of payment from DHHS.

30 **SECTION 9G.3.(d)** Ineffective LME/MCO Management of Beds or Bed Days. – If
31 DHHS determines that (i) an LME/MCO is not effectively managing the beds or bed days for
32 which it has responsibility, as evidenced by beds or bed days in the local hospital not being
33 utilized while demand for services at the State psychiatric hospitals has not decreased, or (ii) the
34 LME/MCO has failed to comply with the prompt payment provisions of this section, DHHS may
35 contract with another LME/MCO to manage the beds or bed days or, notwithstanding any other
36 provision of law to the contrary, may pay the hospital directly.

37 **SECTION 9G.3.(e)** Reporting by LME/MCOs. – LME/MCOs shall be required to
38 report to DHHS regarding the utilization of these beds or bed days.

39 **SECTION 9G.3.(f)** Reporting by DHHS. – By no later than December 1, 2025, and
40 by no later than December 1, 2026, DHHS shall report to the Joint Legislative Oversight
41 Committee on Health and Human Services and the Fiscal Research Division on all of the
42 following:

- 43 (1) A uniform system for beds or bed days purchased during the preceding fiscal
44 year from (i) existing State appropriations and (ii) local funds.
- 45 (2) An explanation of the process used by DHHS to ensure that, except as
46 otherwise provided in subsection (a) of this section, local inpatient psychiatric
47 beds or bed days purchased in accordance with this section are utilized solely
48 for individuals who are medically indigent, along with the number of
49 medically indigent individuals served by the purchase of these beds or bed
50 days.

- 1 (3) The amount of funds used to pay for facility-based crisis services, along with
2 the number of individuals who received these services and the outcomes for
3 each individual.
- 4 (4) The amount of funds used to pay for nonhospital detoxification services, along
5 with the number of individuals who received these services and the outcomes
6 for each individual.
- 7 (5) Other DHHS initiatives funded by State appropriations to reduce State
8 psychiatric hospital use.
- 9

10 FUNDS TO PURCHASE OPIOID ANTAGONIST

11 **SECTION 9G.4.** Of the funds appropriated in this act to the Department of Health
12 and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Use
13 Services, the sum of one million dollars (\$1,000,000) in nonrecurring funds for the 2025-2026
14 fiscal year shall be used to purchase 8-milligram intranasal opioid antagonist, to reverse the
15 effects of opioid overdose. For the purpose of this section, "opioid antagonist" has the same
16 meaning as in G.S. 90-12.7.

17

18 REPLACEMENT FOR CRITICAL IT SYSTEMS THAT SUPPORT SUBSTANCE USE 19 DISORDER PREVENTION AND TREATMENT

20 **SECTION 9G.5.** The Department of Health and Human Services, Division of
21 Mental Health, Developmental Disabilities, and Substance Use Services (DMH/DD/SUS), shall
22 develop and implement a replacement project for outdated data systems supporting substance use
23 prevention and treatment goals, specifically the Driving While Impaired Services, the Drug
24 Education School, and the Drug Control Unit programs. This replacement project for outdated
25 data systems shall be designed to prevent progression of misuse of substances through education
26 and regulatory supports. The DMH/DD/SUS shall not proceed with this replacement project until
27 the business case has been approved by the Office of State Budget and Management and the State
28 Chief Information Officer in the Enterprise Project Management Office's Touchdown System.
29 Upon approval of the business case, for each year of the 2025-2027 fiscal biennium, the
30 DMH/DD/SUS may budget up to one million two hundred thousand dollars (\$1,200,000) of
31 mixed beverage tax receipts available in Budget Code 14460, Budget Fund 134603 for transfer
32 to Budget Code 24410 to implement the replacement project for outdated data systems developed
33 pursuant to this section. Beginning in the fiscal year following project completion, the
34 DMH/DD/SUS may use up to one million two hundred thousand dollars (\$1,200,000) of mixed
35 beverage tax receipts each fiscal year to cover operations and maintenance costs for the
36 replacement system.

37

38 USE OF OPIOID SETTLEMENT FUNDS

39 **SECTION 9G.6.(a)** The following definitions apply in this section:

- 40 (1) Opioid Abatement Fund. – The Fund created by Section 9F.1 of S.L.
41 2021-180, as amended by Section 9F.1 of S.L. 2022-74.
- 42 (2) Opioid Abatement Reserve. – The Reserve created by Section 9F.1 of S.L.
43 2021-180, as amended by Section 9F.1 of S.L. 2022-74.

44 **SECTION 9G.6.(b)** Section 9F.2 of S.L. 2022-74 is repealed.

45 **SECTION 9G.6.(c)** The State Controller shall transfer the sum of one million eight
46 hundred fifty thousand dollars (\$1,850,000) in nonrecurring funds for the 2025-2026 fiscal year
47 from funds available in the Opioid Abatement Fund (as a result of the repeal of the Prescription
48 Digital Therapeutics Pilot Program authorized by Section 9F.2 of S.L. 2022-74) to the Opioid
49 Abatement Reserve.

50 **SECTION 9G.6.(d)** The State Controller shall transfer the sum of fourteen million
51 dollars (\$14,000,000) in recurring funds for each year of the 2025-2027 fiscal biennium from

1 funds available in the Opioid Abatement Reserve to the Division of Mental Health,
2 Developmental Disabilities, and Substance Use Services to increase appropriations for Single
3 Stream Funding. The funds transferred pursuant to this section are appropriated for the fiscal year
4 in which they are transferred.

5 6 **PART IX-H. PUBLIC HEALTH**

7 8 **LOCAL HEALTH DEPARTMENTS/COMPETITIVE GRANT PROCESS TO** 9 **IMPROVE MATERNAL AND CHILD HEALTH**

10 **SECTION 9H.1.(a)** Funds appropriated in this act to the Department of Health and
11 Human Services, Division of Public Health, for each year of the 2025-2027 fiscal biennium to
12 award competitive grants to local health departments for the improvement of maternal and child
13 health shall be used to continue administering a competitive grant process for local health
14 departments based on maternal and infant health indicators and the county's detailed proposal to
15 invest in evidence-based programs to achieve the following goals:

- 16 (1) Improve North Carolina's birth outcomes.
- 17 (2) Improve the overall health status of children in this State from birth to age 5.
- 18 (3) Lower the State's infant mortality rate.

19 **SECTION 9H.1.(b)** The plan for administering the competitive grant process shall
20 include at least all of the following components:

- 21 (1) A request for application (RFA) process to allow local health departments to
22 apply for and receive State funds on a competitive basis. The Department shall
23 require local health departments to include in the application a plan to evaluate
24 the effectiveness, including measurable impact or outcomes, of the activities,
25 services, and programs for which the funds are being requested.
- 26 (2) A requirement that the Secretary prioritize grant awards to those local health
27 departments that are able to leverage non-State funds in addition to the grant
28 award.
- 29 (3) Ensures that funds received by the Department to implement the plan
30 supplement and do not supplant existing funds for maternal and child health
31 initiatives.
- 32 (4) Allows grants to be awarded to local health departments for up to three years.

33 **SECTION 9H.1.(c)** No later than July 1 of each year, as applicable, the Secretary
34 shall announce the recipients of the competitive grant awards and allocate funds to the grant
35 recipients for the respective grant period. After awards have been granted, the Secretary shall
36 submit a report to the Joint Legislative Oversight Committee on Health and Human Services on
37 the grant awards that includes at least all of the following:

- 38 (1) The identity and a brief description of each grantee and each program or
39 initiative offered by the grantee.
- 40 (2) The amount of funding awarded to each grantee.
- 41 (3) The number of persons served by each grantee, broken down by program or
42 initiative.

43 **SECTION 9H.1.(d)** No later than February 1 of each fiscal year, each local health
44 department receiving funding pursuant to this section in the respective fiscal year shall submit to
45 the Division of Public Health a written report of all activities funded by State appropriations. The
46 report shall include the following information about the fiscal year preceding the year in which
47 the report is due:

- 48 (1) A description of the types of programs, services, and activities funded by State
49 appropriations.

- 1 (2) Statistical and demographical information on the number of persons served by
2 these programs, services, and activities, including the counties in which
3 services are provided.
- 4 (3) Outcome measures that demonstrate the impact and effectiveness of the
5 programs, services, and activities based on the evaluation protocols developed
6 by the Division, in collaboration with the University of North Carolina
7 Gillings School of Global Public Health, pursuant to Section 12E.11(e) of S.L.
8 2015-241, and reported to the Joint Legislative Oversight Committee on
9 Health and Human Services on April 1, 2016.
- 10 (4) A detailed program budget and list of expenditures, including all positions
11 funded, matching expenditures, and funding sources.
12

13 **REPORT ON PREMIUM ASSISTANCE PROGRAM WITHIN AIDS DRUG** 14 **ASSISTANCE PROGRAM**

15 **SECTION 9H.2.** Upon a determination by the Department of Health and Human
16 Services, Division of Public Health, that, in six months or less, it will no longer be feasible to
17 operate the health insurance premium assistance program implemented within the North Carolina
18 AIDS Drug Assistance Program (ADAP) on a cost-neutral basis or in a manner that achieves
19 savings to the State, the Department shall submit a report to the Joint Legislative Oversight
20 Committee on Health and Human Services notifying the Committee of this determination along
21 with supporting documentation and a proposed course of action with respect to health insurance
22 premium assistance program participants.
23

24 **INCREASE TO MEDICAL EXAMINER FEE**

25 **SECTION 9H.3.** G.S. 130A-387 reads as rewritten:

26 "**§ 130A-387. Fees.**

27 For each investigation and prompt filing of the required report, the medical examiner shall
28 receive a fee paid by the State. However, if the deceased is a resident of the county in which the
29 death or fatal injury occurred, that county shall pay the fee. The fee shall be ~~two~~four hundred
30 dollars (~~\$200.00~~)-(\$400.00)."
31

32 **REPORT ON RECOMMENDATIONS FOR A PLAN TO IMPROVE MATERNAL AND** 33 **INFANT LEVELS OF CARE IN NORTH CAROLINA**

34 **SECTION 9H.4.** By April 1, 2026, the Department of Health and Human Services,
35 Division of Public Health, shall report to the Joint Legislative Oversight Committee on Health
36 and Human Services and the Fiscal Research Division on recommendations for a plan to establish
37 maternal levels of care and to update neonatal levels of care to reduce maternal and infant
38 mortality rates within the State. The plan recommendations shall be consistent with guidelines
39 endorsed by the American College of Obstetricians and Gynecologists, the Society for
40 Maternal-Fetal Medicine, the American Academy of Pediatrics, the United States Centers for
41 Disease Control and Prevention, and the Association of Women's Health, Obstetric and Neonatal
42 Nurses. In developing these plan recommendations, the Department of Health and Human
43 Services, Division of Public Health, shall consult with maternal and infant health stakeholders in
44 North Carolina, including the North Carolina Healthcare Association, the North Carolina
45 Obstetrical and Gynecological Society, the North Carolina Pediatric Society, the North Carolina
46 Academy of Family Physicians, the North Carolina Institute of Medicine, other organizations
47 with expertise in this area, and individuals with lived experience.
48

49 **CAROLINA PREGNANCY CARE FELLOWSHIP**

50 **SECTION 9H.5.(a)** Funds appropriated in this act to the Department of Health and
51 Human Services, Division of Public Health, for each year of the 2025-2027 fiscal biennium for

1 Carolina Pregnancy Care Fellowship (CPCF), a nonprofit corporation, shall continue to be
2 allocated and used as specified in subdivisions (a)(1) through (a)(4) of Section 9H.11 of S.L.
3 2023-134.

4 **SECTION 9H.5.(b)** The CPCF shall establish an application process for the grants
5 authorized by subdivisions (a)(1) through (a)(3) of Section 9H.11 of S.L. 2023-134, and any
6 pregnancy center located in this State that applies for these grant funds through the established
7 application process is eligible to receive these grant funds.

8 **SECTION 9H.5.(c)** The CPCF shall not use more than ten percent (10%) of the total
9 amount of funds allocated for each year of the 2025-2027 fiscal biennium for administrative
10 purposes.

11 **SECTION 9H.5.(d)** The CPCF shall use these allocated funds for nonsectarian,
12 nonreligious purposes only.

13 **SECTION 9H.5.(e)** By July 1, 2025, and July 1 of each odd-numbered year
14 thereafter, the CPCF shall report to the Joint Legislative Oversight Committee on Health and
15 Human Services and the Fiscal Research Division on its use of these allocated funds. The report
16 shall include at least all of the following:

- 17 (1) The identity and a brief description of each grantee and the amount of funding
18 awarded to each grantee.
- 19 (2) The number of persons served by each grantee.
- 20 (3) The number of persons served by the Circle of Care Program.
- 21 (4) The amount of funds used for administrative purposes.

22

23 **PART IX-I. SERVICES FOR THE BLIND/DEAF/HARD OF HEARING [RESERVED]**

24

25 **PART IX-J. SOCIAL SERVICES**

26

27 **TANF BENEFIT IMPLEMENTATION PLAN**

28 **SECTION 9J.1.(a)** Beginning October 1, 2025, the General Assembly approves the
29 plan titled "North Carolina Temporary Assistance for Needy Families State Plan FY 2025-2028,"
30 prepared by the Department of Health and Human Services and presented to the General
31 Assembly. The North Carolina Temporary Assistance for Needy Families State Plan covers the
32 period of October 1, 2025, through September 30, 2028. The Department shall submit the State
33 Plan, as revised in accordance with subsection (b) of this section, to the United States Department
34 of Health and Human Services.

35 **SECTION 9J.1.(b)** The counties approved as Electing Counties in the North
36 Carolina Temporary Assistance for Needy Families State Plan FY 2025-2028, as approved by
37 this section, are Beaufort, Caldwell, Catawba, Lenoir, Lincoln, Macon, and Wilson.

38 **SECTION 9J.1.(c)** Counties that submitted the letter of intent to remain as an
39 Electing County or to be redesignated as an Electing County and the accompanying county plan
40 for years 2025 through 2028, pursuant to G.S. 108A-27(e), shall operate under the Electing
41 County budget requirements effective July 1, 2025. For programmatic purposes, all counties
42 referred to in this subsection shall remain under their current county designation through
43 September 30, 2028.

44 **SECTION 9J.1.(d)** For each year of the 2025-2027 fiscal biennium, Electing
45 Counties shall be held harmless to their Work First Family Assistance allocations for the
46 2024-2025 fiscal year, provided that remaining funds allocated for Work First Family Assistance
47 and Work First Diversion Assistance are sufficient for payments made by the Department on
48 behalf of Standard Counties pursuant to G.S. 108A-27.11(b).

49 **SECTION 9J.1.(e)** In the event that departmental projections of Work First Family
50 Assistance and Work First Diversion Assistance for the 2025-2026 fiscal year or the 2026-2027
51 fiscal year indicate that remaining funds are insufficient for Work First Family Assistance and

1 Work First Diversion Assistance payments to be made on behalf of Standard Counties, the
2 Department is authorized to deallocate funds, of those allocated to Electing Counties for Work
3 First Family Assistance in excess of the sums set forth in G.S. 108A-27.11, up to the requisite
4 amount for payments in Standard Counties. Prior to deallocation, the Department shall obtain
5 approval by the Office of State Budget and Management. If the Department adjusts the allocation
6 set forth in subsection (d) of this section, then a report shall be made to the Joint Legislative
7 Oversight Committee on Health and Human Services and the Fiscal Research Division.

8 9 **INTENSIVE FAMILY PRESERVATION SERVICES FUNDING, PERFORMANCE** 10 **ENHANCEMENTS, AND REPORT**

11 **SECTION 9J.2.(a)** Notwithstanding the provisions of G.S. 143B-150.6, the
12 Intensive Family Preservation Services (IFPS) Program shall provide intensive services to
13 children and families in cases of abuse, neglect, and dependency where a child is at imminent
14 risk of removal from the home and to children and families in cases of abuse where a child is not
15 at imminent risk of removal. The IFPS shall be implemented statewide on a regional basis. The
16 IFPS shall ensure the application of standardized assessment criteria for determining imminent
17 risk and clear criteria for determining out-of-home placement.

18 **SECTION 9J.2.(b)** The Department of Health and Human Services shall require that
19 any program or entity that receives State, federal, or other funding for the purpose of IFPS shall
20 provide information and data that allows for the following:

- 21 (1) An established follow-up system with a minimum of six months of follow-up
22 services.
- 23 (2) Detailed information on the specific interventions applied, including
24 utilization indicators and performance measurements.
- 25 (3) Cost-benefit data.
- 26 (4) Data on long-term benefits associated with IFPS. This data shall be obtained
27 by tracking families through the intervention process.
- 28 (5) The number of families remaining intact and the associated interventions
29 while in IFPS and 12 months thereafter.
- 30 (6) The number and percentage, by race, of children who received IFPS compared
31 to the ratio of their distribution in the general population involved with Child
32 Protective Services.

33 **SECTION 9J.2.(c)** The Department shall continue implementing a
34 performance-based funding protocol and shall only provide funding to those programs and
35 entities providing the required information specified in subsection (b) of this section. The amount
36 of funding shall be based on the individual performance of each program.

37 **SECTION 9J.2.(d)** The Department shall submit an annual report to the Joint
38 Legislative Oversight Committee on Health and Human Services and the Fiscal Research
39 Division by December 1 of each year that provides the information and data collected pursuant
40 to subsection (b) of this section.

41 42 **CHILD CARING INSTITUTIONS**

43 **SECTION 9J.3.** Until the Social Services Commission adopts rules setting
44 standardized rates for child caring institutions as authorized under G.S. 143B-153(8), the
45 maximum reimbursement for child caring institutions shall not exceed the rate established for the
46 specific child caring institution by the Department of Health and Human Services, Office of the
47 Controller. In determining the maximum reimbursement, the State shall include county and IV-E
48 reimbursements.

49 50 **USE FOSTER CARE BUDGET FOR GUARDIANSHIP ASSISTANCE PROGRAM**

1 **SECTION 9J.4.** Of the funds available for the provision of foster care services, the
2 Department of Health and Human Services, Division of Social Services, may continue to provide
3 for the financial support of children who are deemed to be (i) in a permanent family placement
4 setting, (ii) eligible for legal guardianship, and (iii) otherwise unlikely to receive permanency.
5 No additional expenses shall be incurred beyond the funds budgeted for foster care for the
6 Guardianship Assistance Program (GAP). The Guardianship Assistance Program shall include
7 provisions for extending guardianship services for individuals and youth who exited foster care
8 through the Guardianship Assistance Program after 14 years of age or who have attained the age
9 of 18 years and opt to continue to receive guardianship services until reaching 21 years of age if
10 the individual is (i) completing secondary education or a program leading to an equivalent
11 credential, (ii) enrolled in an institution that provides postsecondary or vocational education, (iii)
12 participating in a program or activity designed to promote, or remove barriers to, employment,
13 (iv) employed for at least 80 hours per month, or (v) incapable of completing the educational or
14 employment requirements of this section due to a medical condition or disability. The
15 Guardianship Assistance Program rates shall reimburse the legal guardian for room and board
16 and be set at the same rate as the foster care room and board rates in accordance with rates
17 established under G.S. 108A-49.1.

18 **CHILD WELFARE POSTSECONDARY SUPPORT PROGRAM (NC REACH)**

19 **SECTION 9J.5.(a)** Funds appropriated in this act from the General Fund to the
20 Department of Health and Human Services for the child welfare postsecondary support program
21 shall be used to continue providing assistance with the "cost of attendance" as that term is defined
22 in 20 U.S.C. § 1087ll for the educational needs of foster youth aging out of the foster care system,
23 youth who exit foster care to a permanent home through the Guardianship Assistance Program
24 (GAP), or special needs children adopted from foster care after age 12. These funds shall be
25 allocated by the State Education Assistance Authority.

26 **SECTION 9J.5.(b)** Of the funds appropriated in this act from the General Fund to
27 the Department of Health and Human Services, the sum of fifty thousand dollars (\$50,000) for
28 each year of the 2025-2027 fiscal biennium shall be allocated to the North Carolina State
29 Education Assistance Authority (SEAA). The SEAA shall use these funds only to perform
30 administrative functions necessary to manage and distribute scholarship funds under the child
31 welfare postsecondary support program.

32 **SECTION 9J.5.(c)** Of the funds appropriated in this act from the General Fund to
33 the Department of Health and Human Services, the sum of three hundred thirty-nine thousand
34 four hundred ninety-three dollars (\$339,493) for each year of the 2025-2027 fiscal biennium shall
35 be used to contract with an entity to administer the child welfare postsecondary support program
36 described under subsection (a) of this section, which administration shall include the performance
37 of case management services.

38 **SECTION 9J.5.(d)** Funds appropriated in this act to the Department of Health and
39 Human Services for the child welfare postsecondary support program shall be used only for
40 students attending public institutions of higher education in this State.

41 **FEDERAL CHILD SUPPORT INCENTIVE PAYMENTS**

42 **SECTION 9J.6.(a)** Centralized Services. – The North Carolina Child Support
43 Services (NCCSS) Section of the Department of Health and Human Services, Division of Social
44 Services, shall retain up to fifteen percent (15%) of the annual federal incentive payments it
45 receives from the federal government to enhance centralized child support services. To
46 accomplish this requirement, NCCSS shall do the following:
47

- 48 (1) In consultation with representatives from county child support services
49 programs, identify how federal incentive funding could improve centralized
50 services.
51

1 (2) Use federal incentive funds to improve the effectiveness of the State's
2 centralized child support services by supplementing and not supplanting State
3 expenditures for those services.

4 (3) Continue to develop and implement rules that explain the State process for
5 calculating and distributing federal incentive funding to county child support
6 services programs.

7 **SECTION 9J.6.(b)** County Child Support Services Programs. – NCCSS shall
8 allocate no less than eighty-five percent (85%) of the annual federal incentive payments it
9 receives from the federal government to county child support services programs to improve
10 effectiveness and efficiency using the federal performance measures. To that end, NCCSS shall
11 do the following:

12 (1) In consultation with representatives from county child support services
13 programs, examine the current methodology for distributing federal incentive
14 funding to the county programs and determine whether an alternative formula
15 would be appropriate. NCCSS shall use its current formula for distributing
16 federal incentive funding until an alternative formula is adopted.

17 (2) Upon adopting an alternative formula, develop a process to phase in the
18 alternative formula for distributing federal incentive funding over a four-year
19 period.

20 **SECTION 9J.6.(c)** Reporting by County Child Support Services Programs. –
21 NCCSS shall continue implementing guidelines that identify appropriate uses for federal
22 incentive funding. To ensure those guidelines are properly followed, NCCSS shall require county
23 child support services programs to comply with each of the following:

24 (1) Submit an annual plan describing how federal incentive funding would
25 improve program effectiveness and efficiency as a condition of receiving
26 federal incentive funding.

27 (2) Report annually on the following: (i) how federal incentive funding has
28 improved program effectiveness and efficiency and been reinvested into their
29 programs, (ii) documentation that the funds were spent according to their
30 annual plans, and (iii) any deviations from their plans.

31 **SECTION 9J.6.(d)** Reporting by NCCSS. – NCCSS shall submit a report on federal
32 child support incentive funding to the Joint Legislative Oversight Committee on Health and
33 Human Services and the Fiscal Research Division by November 1 of each year. The report shall
34 describe how federal incentive funds enhanced centralized child support services to benefit
35 county child support services programs and improved the effectiveness and efficiency of county
36 child support services programs. The report shall further include any changes to the State process
37 that NCCSS used in calculating and distributing federal incentive funding to county child support
38 services programs and any recommendations for further changes.

39 **SUCCESSFUL TRANSITION/FOSTER CARE YOUTH**

40 **SECTION 9J.7.** The Foster Care Transitional Living Initiative Fund shall continue
41 to fund and support transitional living services that demonstrate positive outcomes for youth,
42 attract significant private sector funding, and lead to the development of evidence-based
43 programs to serve the at-risk population described in this section. The Fund shall continue to
44 support a demonstration project with services provided by Youth Villages to (i) improve
45 outcomes for youth ages 17-21 years who transition from foster care through implementation of
46 outcome-based Transitional Living Services, (ii) identify cost-savings in social services and
47 juvenile and adult correction services associated with the provision of Transitional Living
48 Services to youth aging out of foster care, and (iii) take necessary steps to establish an
49 evidence-based transitional living program available to all youth aging out of foster care. In
50

1 continuing to implement these goals, the Foster Care Transitional Living Initiative Fund shall
2 support the following strategies:

- 3 (1) Transitional Living Services, which is an outcome-based program that follows
4 the Youth Villages Transitional Living Model. Outcomes on more than 7,000
5 participants have been tracked since the program's inception. The program has
6 been evaluated through an independent randomized controlled trial. Results
7 indicate that the Youth Villages Transitional Living Model had positive
8 impacts in a variety of areas, including housing stability, earnings, economic
9 hardship, mental health, and intimate partner violence in comparison to the
10 control population.
- 11 (2) Public-Private Partnership, which is a commitment by private-sector funding
12 partners to match at least twenty-five percent (25%) of the funds appropriated
13 to the Foster Care Transitional Living Initiative Fund for the 2025-2027 fiscal
14 biennium for the purposes of providing Transitional Living Services through
15 the Youth Villages Transitional Living Model to youth aging out of foster
16 care.
- 17 (3) Impact Measurement and Evaluation, which are services funded through
18 private partners to provide independent measurement and evaluation of the
19 impact the Youth Villages Transitional Living Model has on the youth served,
20 the foster care system, and on other programs and services provided by the
21 State which are utilized by former foster care youth.
- 22 (4) Advancement of Evidence-Based Process, which is the implementation and
23 ongoing evaluation of the Youth Villages Transitional Living Model for the
24 purposes of establishing the first evidence-based transitional living program
25 in the nation. To establish the evidence-based program, additional randomized
26 controlled trials may be conducted to advance the model.

27 **REPORT ON CERTAIN SNAP AND TANF EXPENDITURES**

28 **SECTION 9J.8.(a)** Funds appropriated in this act to the Department of Health and
29 Human Services, Division of Social Services (Division), for each year of the 2025-2027 fiscal
30 biennium for a report on certain Supplemental Nutrition Assistance Program (SNAP) and
31 Temporary Assistance for Needy Families (TANF) expenditures shall be allocated for vendor
32 costs to generate the data regarding expenditures of those programs. The vendor shall generate
33 data to be submitted to the Division that includes, at a minimum, each of the following:
34

- 35 (1) The dollar amount and number of transactions accessed or expended
36 out-of-state, by state, for both SNAP benefits and TANF benefits.
- 37 (2) The amount of benefits expended out-of-state, by state, from active cases for
38 both SNAP and TANF.
- 39 (3) The dollar amount and number of transactions of benefits accessed or
40 expended in this State, by types of retailers or institutions, for both SNAP and
41 TANF.

42 **SECTION 9J.8.(b)** Upon receiving the expenditures data for SNAP and TANF from
43 the vendor, the Division shall evaluate the data. After evaluating the expenditures data, the
44 Division shall submit a report on its analysis of the data by June 30 and December 31 of each
45 year to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal
46 Research Division. The Division shall post its report required by this subsection on its website
47 and otherwise make the data available by June 30 and December 31 of each year. In the first
48 report required by this section, the Division shall report how this data is used to investigate fraud
49 and abuse in both SNAP and TANF. The Division shall also report on other types of data and
50 how that data is utilized in the detection of fraud and abuse.

1 **SECTION 9J.8.(c)** The Division shall maintain the confidentiality of information
2 not public under Chapter 132 of the General Statutes. The Division shall properly redact any
3 information subject to reporting under this section to prevent identification of individual
4 recipients of SNAP or TANF benefits.

6 **CHILD ADVOCACY CENTER FUNDS**

7 **SECTION 9J.9.** At least seventy-five percent (75%) of the funds appropriated in
8 this act to the Department of Health and Human Services, Division of Social Services, for
9 Children's Advocacy Centers of North Carolina, Inc. (CACNC), a nonprofit organization, for
10 each year of the 2025-2027 fiscal biennium shall be distributed to child advocacy centers in this
11 State that are in good standing with CACNC in accordance with the requirements of
12 G.S. 108A-75.2.

14 **REQUIRE STATUS REPORT ON FOSTER CARE TRAUMA-INFORMED** 15 **ASSESSMENT**

16 **SECTION 9J.10.** The Department of Health and Human Services, Division of Social
17 Services, shall provide a report to the Joint Legislative Oversight Committee on Health and
18 Human Services and the Fiscal Research Division on the status of the foster care trauma-informed
19 assessment (assessment) required under Section 9J.12 of S.L. 2023-134, as amended by Section
20 7 of S.L. 2024-34, by September 1, 2025, and every six months thereafter until the assessment is
21 fully implemented statewide.

23 **PART IX-K. EMPLOYMENT AND INDEPENDENCE FOR PEOPLE WITH** 24 **DISABILITIES [RESERVED]**

26 **PART IX-L. HHS MISCELLANEOUS**

28 **LOWER HEALTHCARE COSTS**

30 **GREATER TRANSPARENCY IN HOSPITAL AND AMBULATORY SURGICAL** 31 **FACILITY HEALTHCARE COSTS**

32 **SECTION 9L.1.(a)** Article 11B of Chapter 131E of the General Statutes reads as
33 rewritten:

34 "Article 11B.

35 "Transparency in Health Care Costs.

36 "Part 1. Health Care Cost Reduction and Transparency Act of 2013.

37 **"§ 131E-214.11. Title.**

38 This ~~article-Part~~ shall be known as the Health Care Cost Reduction and Transparency Act of
39 2013.

40 ...

41 **"§ 131E-214.13. Disclosure of prices for most frequently reported DRGs, CPTs, and** 42 **HCPCSs.**

43 (a) **Definitions.** – The following definitions apply in this ~~Article:~~**Part:**

44 (1) **Ambulatory surgical facility.** – A facility licensed under Part 4 of Article 6 of
45 this Chapter.

46 (2) **Commission.** – The North Carolina Medical Care Commission.

47 (2a) **CPT.** – Current Procedural Terminology.

48 (2b) **DRG.** – Diagnostic Related Group.

49 (2c) **HCPCS.** – The Healthcare Common Procedure Coding System.

50 (3) **Health insurer.** – An entity that writes a health benefit plan and is one of the
51 following:

- 1 a. An insurance company under Article 3 of Chapter 58 of the General
2 Statutes.
- 3 b. A service corporation under Article 65 of Chapter 58 of the General
4 Statutes.
- 5 c. A health maintenance organization under Article 67 of Chapter 58 of
6 the General Statutes.
- 7 d. A third-party administrator of one or more group health plans, as
8 defined in section 607(1) of the Employee Retirement Income Security
9 Act of 1974 (29 U.S.C. § 1167(1)).
- 10 (4) Hospital. – A medical care facility licensed under Article 5 of this Chapter or
11 under Article 2 of Chapter 122C of the General Statutes.
- 12 (5) Public or private third party. – Includes the State, the federal government,
13 employers, health insurers, third-party administrators, and managed care
14 organizations.
- 15 (6) Statewide data processor. – As defined in G.S. 131E-214.1.
- 16 (b) ~~Beginning with the reporting period ending September 30, 2015, and annually~~
17 ~~thereafter, Quarterly Report on Most Frequently Reported DRGs for Inpatients.~~ – On a quarterly
18 basis, each hospital shall provide to the Department of Health and Human Services statewide
19 data processor, utilizing electronic health records software, the following information about the
20 100 most frequently reported admissions by DRG for inpatients as established by the
21 Department:
- 22 (1) The amount that will be charged to a patient for each DRG if all charges are
23 paid in full without a public or private third party paying for any portion of
24 the charges. In calculating this amount, each hospital shall include charges for
25 each billable item and service associated with the DRG regardless of whether
26 the health service is performed by a physician or nonphysician practitioner
27 employed by the hospital.
- 28 (2) The average negotiated settlement on the amount that will be charged to a
29 patient required to be provided in subdivision (1) of this subsection.
- 30 (3) The amount of Medicaid reimbursement for each DRG, including claims and
31 pro rata supplemental payments.
- 32 (4) The amount of Medicare reimbursement for each DRG.
- 33 (5) For each of the five largest health insurers providing payment to the hospital
34 on behalf of insureds and teachers and State employees, the range and the
35 average of the amount of payment made for each DRG. Prior to providing this
36 information to the ~~Department statewide data processor,~~ each hospital shall
37 redact the names of the health insurers and any other information that would
38 otherwise identify the health insurers.
- 39 A hospital shall not be required to report the information required by this subsection for any
40 of the 100 most frequently reported admissions where the reporting of that information
41 reasonably could lead to the identification of the person or persons admitted to the hospital in
42 violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or
43 other federal law.
- 44 (e) ~~The Commission shall adopt rules on or before March 1, 2016, to ensure that~~
45 ~~subsection (b) of this section is properly implemented and that hospitals report this information~~
46 ~~to the Department in a uniform manner. The rules shall include all of the following:~~
- 47 (1) ~~The method by which the Department shall determine the 100 most frequently~~
48 ~~reported DRGs for inpatients for which hospitals must provide the data set out~~
49 ~~in subsection (b) of this section.~~

1 ~~(2) Specific categories by which hospitals shall be grouped for the purpose of~~
2 ~~disclosing this information to the public on the Department's Internet Web~~
3 ~~site.~~

4 ~~(d) Beginning with the reporting period ending September 30, 2015, and annually~~
5 ~~thereafter, Quarterly Report on Total Costs for the Most Common Surgical and Imaging~~
6 ~~Procedures. – On a quarterly basis, each hospital and ambulatory surgical facility shall provide~~
7 ~~to the Department, statewide data processor, utilizing electronic health records software,~~
8 ~~information on the total costs for the 20 most common surgical procedures and the 20 most~~
9 ~~common imaging procedures, by volume, performed in hospital outpatient settings or in~~
10 ~~ambulatory surgical facilities, along with the related CPT and HCPCS codes. In providing~~
11 ~~information on total costs, each hospital and ambulatory surgical facility shall include the costs~~
12 ~~for each billable item and service associated with the procedure regardless of whether the health~~
13 ~~service is performed by a physician or nonphysician practitioner employed by the hospital or~~
14 ~~ambulatory surgical facility. Hospitals and ambulatory surgical facilities shall report this~~
15 ~~information in the same manner as required by subdivisions (b)(1) through (5) of this section,~~
16 ~~provided that hospitals and ambulatory surgical facilities shall not be required to report the~~
17 ~~information required by this subsection where the reporting of that information reasonably could~~
18 ~~lead to the identification of the person or persons admitted to the hospital in violation of the~~
19 ~~federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal~~
20 ~~law.~~

21 ~~(e) The Commission shall adopt rules on or before March 1, 2016, to ensure that~~
22 ~~subsection (d) of this section is properly implemented and that hospitals and ambulatory surgical~~
23 ~~facilities report this information to the Department in a uniform manner. The rules shall include~~
24 ~~the method by which the Department shall determine the 20 most common surgical procedures~~
25 ~~and the 20 most common imaging procedures for which the hospitals and ambulatory surgical~~
26 ~~facilities must provide the data set out in subsection (d) of this section.~~

27 ~~(e1) The Commission shall adopt rules to establish and define no fewer than 10 quality~~
28 ~~measures for licensed hospitals and licensed ambulatory surgical facilities.~~

29 ~~(f) Upon request of a patient for a particular DRG, imaging procedure, or surgery~~
30 ~~procedure reported in this section, a hospital or ambulatory surgical facility shall provide the~~
31 ~~information required by subsection (b) or subsection (d) of this section to the patient in writing,~~
32 ~~either electronically or by mail, within three business days after receiving the request.~~

33 ~~(f1) Commission Rules. – The Commission shall adopt rules to accomplish all of the~~
34 ~~following:~~

35 ~~(1) To ensure that subsection (b) of this section is properly implemented and that~~
36 ~~hospitals report this information to the statewide data processor in a uniform~~
37 ~~manner. The rules shall include the method by which the statewide data~~
38 ~~processor shall determine the 100 most frequently reported DRGs for~~
39 ~~inpatients for which hospitals must provide the data set out in subsection (b)~~
40 ~~of this section and the specific categories by which hospitals shall be grouped~~
41 ~~for the purpose of disclosing this information to the public on the Department's~~
42 ~~website.~~

43 ~~(2) To ensure that subsection (d) of this section is properly implemented and that~~
44 ~~hospitals and ambulatory surgical facilities report this information to the~~
45 ~~statewide data processor in a uniform manner. The rules shall include the~~
46 ~~method by which the statewide data processor shall determine the 20 most~~
47 ~~common surgical procedures and the 20 most common imaging procedures~~
48 ~~for which the hospitals and ambulatory surgical facilities must provide the~~
49 ~~data set out in subsection (d) of this section.~~

50 ~~(3) To establish and define no fewer than 10 quality measures for licensed~~
51 ~~hospitals and licensed ambulatory surgical facilities.~~

(4) To establish procedures for the statewide data processor to receive the data required by subsections (b) and (d) of this section and submit that data to the Department for publication on the Department's website.

(g) G.S. 150B-21.3 does not apply to rules adopted under ~~subsections (e) and (e) subdivision (f1)(1) or subdivision (f1)(2)~~ of this section. A rule adopted under ~~subsections (e) and (e) subdivision (f1)(1) or subdivision (f1)(2)~~ of this section becomes effective on the last day of the month following the month in which the rule is approved by the Rules Review Commission.

...
"§ 131E-214.18. Penalty for noncompliance.

The Department may impose a civil penalty on any hospital or ambulatory surgical facility that fails to comply with the requirements of this Part. For each day of violation, the amount of the civil penalty shall not be (i) less than one hundredth of one percent (.01%) of the annual salary of the chief executive officer of the noncompliant hospital or ambulatory surgical facility or (ii) greater than two thousand dollars (\$2,000). This civil penalty shall be in addition to any fine or civil penalty that the Centers for Medicare and Medicaid Services or other federal agency may choose to impose on the facility. The Department shall remit the clear proceeds of civil penalties assessed pursuant to this section to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

SECTION 9L.1.(b) G.S. 131E-214.4(a) reads as rewritten:

"(a) A statewide data processor shall perform the following duties:

...
 (8) Receive data required to be submitted by hospitals under G.S. 131E-214.13(b) and by hospitals and ambulatory surgical facilities under G.S. 131E-214.13(d) and submit that data to the Department of Health and Human Services (Department) for publication on the Department's website."

SECTION 9L.1.(c) Subsections (a) and (b) of this section become effective on the later of January 1, 2026, or the date the rules adopted by the North Carolina Medical Care Commission under subdivisions (1), (2), and (4) of subsection (f1) of G.S. 131E-214.13 take effect. G.S. 131E-214.18, as enacted by subsection (a) of this section, applies to acts occurring on or after that date. The Commission shall notify the Revisor of Statutes when the rules required under subdivisions (1), (2), and (4) of subsection (f1) of G.S. 131E-214.13 take effect.

GREATER TRANSPARENCY IN HEALTHCARE PROVIDER BILLING PRACTICES

SECTION 9L.1.(d) Article 11B of Chapter 131E of the General Statutes, as amended by Part I of this act, is amended by adding a new Part to read:

"Part 2. Transparency in Healthcare Provider Billing Practices.

"§ 131E-214.25. Definitions.

The following definitions apply in this Part:

(1) Health benefit plan. – As defined in G.S. 58-3-167, or under the laws of another state or the federal government.

(2) Healthcare provider. – As defined in G.S. 90-410.

(3) Insurer. – As defined in G.S. 58-3-167.

"§ 131E-214.30. Fair notice requirements; health service facilities.

(a) Services Provided at a Participating Health Service Facility. – At the time a health service facility participating in an insurer's healthcare provider network (i) treats an insured individual for anything other than screening and stabilization in accordance with G.S. 58-3-190, (ii) admits an insured individual to receive emergency services, (iii) schedules a procedure for nonemergency services for an insured individual, or (iv) seeks prior authorization from an insurer for the provision of nonemergency services to an insured individual, the health service facility

1 shall provide the insured individual with a written disclosure containing all of the following
2 information:

3 (1) Services may be provided at the health service facility for which the insured
4 individual may receive a separate bill.

5 (2) Certain healthcare providers may be called upon to render care to the insured
6 individual during the course of treatment and those healthcare providers may
7 not have contracts with the insured's insurer and are considered to be
8 nonparticipating healthcare providers in the insurer's healthcare provider
9 network. Any nonparticipating healthcare providers shall be identified in the
10 written disclosure using the individual's healthcare provider's name and
11 practice name as used on the applicable health service facility's or healthcare
12 provider's credentials or name badge.

13 (3) Text, using a bold or other distinguishable font, that states that certain
14 consumer protections available to the insured individual when services are
15 rendered by a health service facility or healthcare provider participating in the
16 insurer's healthcare provider network may not be applicable when services are
17 rendered by a nonparticipating healthcare provider.

18 (b) Emergency Services Provided at Nonparticipating Health Service Facilities. – As
19 soon as practicable after a health service facility begins the provision of emergency services to
20 an insured individual, if the facility does not have a contract with the applicable insurer, then the
21 health service facility shall provide the insured individual with a written disclosure containing
22 all of the following:

23 (1) A statement that the health service facility does not have a provider network
24 contract with the applicable insurer and is considered to be a nonparticipating
25 provider.

26 (2) Text, using a bold or other distinguishable font, that states that certain
27 consumer protections available to the insured individual when services are
28 rendered by a health service facility or healthcare provider participating in the
29 insurer's healthcare provider network may not be applicable when services are
30 rendered by a nonparticipating health service facility.

31 **§ 131E-214.31. Fair notice requirements; healthcare providers.**

32 At the time a healthcare provider not participating in an insurer's healthcare provider network
33 (i) treats an insured individual for anything other than screening and stabilization in accordance
34 with G.S. 58-3-190, (ii) schedules an appointment or procedure for nonemergency services for
35 an insured individual, or (iii) seeks prior authorization from an insurer for the provision of
36 nonemergency services to an insured individual, the healthcare provider shall provide the insured
37 individual with a written disclosure containing all of the following information:

38 (1) A statement that the healthcare provider is not in the insurer's healthcare
39 provider network applicable to the individual.

40 (2) Text, using a bold or other distinguishable font, that states that certain
41 consumer protections available to the insured individual when services are
42 rendered by a healthcare provider participating in the insurer's healthcare
43 provider network may not be applicable when services are rendered by a
44 nonparticipating healthcare provider.

45 **§ 131E-214.35. Penalties.**

46 A healthcare provider's repeated failure to comply with this Article shall indicate a general
47 business practice that is deemed an unfair and deceptive trade practice and is actionable under
48 Chapter 75 of the General Statutes. Nothing in this Article forecloses other remedies available
49 under law or equity."

50 **SECTION 9L.1.(e)** G.S. 58-3-200(a)(1) and G.S. 58-3-200(a)(2) are repealed.

1 **SECTION 9L.1.(f)** G.S. 58-3-200(a), as amended by subsection (e) of this section,
2 reads as rewritten:

3 "(a) Definitions. – ~~As used~~The following definitions apply in this section:

4 ...

5 (3) Clinical laboratory. – An entity in which services are performed to provide
6 information or materials for use in the diagnosis, prevention, or treatment of
7 disease or assessment of a medical or physical condition.

8 (4) Healthcare provider. – As defined in G.S. 90-410."

9 **SECTION 9L.1.(g)** G.S. 58-3-200(d) reads as rewritten:

10 "(d) Services Outside Provider Networks. – No insurer shall penalize an insured or subject
11 an insured to the out-of-network benefit levels offered under the insured's approved health benefit
12 plan, including an insured receiving an extended or standing referral under G.S. 58-3-223, unless
13 contracting ~~health care~~ healthcare providers able to meet health needs of the insured are
14 reasonably available to the insured without unreasonable delay. Upon notice or request from the
15 insured, the insurer shall determine whether a healthcare provider able to meet the needs of the
16 insured is available to the insured without unreasonable delay by reference to the insured's
17 location and the specific medical needs of the insured."

18 **SECTION 9L.1.(h)** Subsections (d) through (g) of this section become effective
19 October 1, 2026, and apply to healthcare services provided on or after that date and to contracts
20 issued, renewed, or amended on or after that date.

21 22 **GREATER FAIRNESS IN BILLING AND COLLECTIONS PRACTICES FOR** 23 **HOSPITALS AND AMBULATORY SURGICAL FACILITIES**

24 **SECTION 9L.1.(i)** Chapter 131E of the General Statutes is amended by adding a
25 new Article 11C to be entitled "Fair Billing and Collections Practices for Hospitals and
26 Ambulatory Surgical Facilities."

27 **SECTION 9L.1.(j)** G.S. 131E-91 is recodified as G.S. 131E-214.50 under Article
28 11C of Chapter 131E of the General Statutes, as created by subsection (i) of this section.

29 **SECTION 9L.1.(k)** G.S. 131E-214.50(d) reads as rewritten:

30 "(d) Hospitals and ambulatory surgical facilities shall abide by the following reasonable
31 collections practices:

32 ...

33 (1a) A hospital or ambulatory surgical facility shall not refer a patient's unpaid bill
34 to a collections agency, entity, or other assignee unless it has first presented
35 an itemized list of charges to the patient detailing, in language comprehensible
36 to an ordinary layperson, the specific nature of the charges or expenses
37 incurred by the patient.

38 "

39 **SECTION 9L.1.(l)** Article 11C of Chapter 131E of the General Statutes, as created
40 by subsection (i) of this section, is amended by adding a new section to read:

41 **"§ 131E-214.52. Patient's right to a good-faith estimate.**

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

43 (1) CMS. – The federal Centers for Medicare and Medicaid Services.

44 (2) Facility. – A hospital or ambulatory surgical facility licensed under this
45 Chapter.

46 (3) Items and services. – All items and services, including individual items and
47 services and service packages, that could be provided by a facility to a patient
48 in connection with an inpatient admission or an outpatient visit for which the
49 facility has established a standard charge. Examples include, but are not
50 limited to, all of the following:

51 a. Supplies and procedures.

- b. Room and board.
- c. Fees for use of the facility or other items.
- d. Professional charges for services of physicians and nonphysician practitioners who are employed by the facility.
- e. Professional charges for services of physicians and nonphysician practitioners who are not employed by the facility.
- f. Any other items or services for which a facility has established a standard charge.

(4) Service package. – An aggregation of individual items and services into a single service with a single charge.

(5) Shoppable service. – A non-urgent service that can be scheduled by a patient in advance. The term includes all CMS-specified shoppable services plus as many additional facility-selected shoppable services as are necessary for a combined total of at least 300 shoppable services.

(b) Good-Faith Estimate. – Upon request of any patient for a good-faith estimate for a shoppable service, the facility shall provide to the patient, in writing, at least three business days prior to the date the patient schedules the shoppable service, an itemized list of expected charges, in language comprehensible to an ordinary layperson, that the patient will be obligated to pay for all items and services related to the shoppable service. The good-faith estimate shall include the Diagnostic Related Group (DRG), Current Procedural Terminology (CPT), or Healthcare Common Procedure Coding System (HCPCS) code for each expected charge.

(c) In any case in which a patient has requested a good-faith estimate from a facility for a shoppable service, the patient's final bill for that shoppable service shall not exceed more than five percent (5%) of the good-faith estimate provided to the patient pursuant to this section.

(d) The Department shall adopt rules to implement this section."

SECTION 9L.1.(m) Subsections (i) through (l) of this section become effective on the later of January 1, 2026, or the date the rules adopted by the Department under G.S. 131E-214.52 take effect and apply to acts occurring on or after that date. The Department shall notify the Revisor of Statutes when the rules required under G.S. 131E-214.52 take effect.

GREATER PROTECTION FOR HEALTHCARE CONSUMERS FROM FACILITY FEES

SECTION 9L.1.(n) Article 11C of Chapter 131E of the General Statutes, as created by subsection (i) of this section, is amended by adding a new section to read:

"§ 131E-214.54. Facility fees.

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

(1) Ambulatory surgical facility. – As defined in G.S. 131E-176.

(2) Campus. – Any of the following:

a. The main building of a hospital.

b. The physical area immediately adjacent to a hospital's main building.

c. Other structures not contiguous to the main building of a hospital that are within 250 yards of the main building.

d. Any other area that has been determined to be part of a hospital's campus by the Centers for Medicare and Medicaid Services.

(3) Facility fee. – Any fee charged or billed by a health care provider for outpatient services provided in a hospital-based facility that is (i) intended to compensate the health care provider for the operational expenses of the health care provider, (ii) separate and distinct from a professional fee, and (iii) charged regardless of the modality through which the health care services were provided.

(4) Health care provider. – As defined in G.S. 90-410.

- 1 (5) Health systems. – A parent corporation of one or more hospitals and any entity
2 affiliated with that parent corporation through ownership, governance,
3 membership, or other means, or a hospital and any entity affiliated with that
4 hospital through ownership, governance, membership, or other means.
- 5 (6) Hospital. – Any hospital as defined in G.S. 90-176(13) and any facility
6 licensed under Chapter 122C of the General Statutes.
- 7 (7) Hospital-based facility. – A facility that is owned or operated, in whole or in
8 part, by a hospital and at which hospital or professional medical services are
9 provided.
- 10 (8) Professional fee. – Any fee charged or billed by a provider for hospital or
11 professional medical services provided in a hospital-based facility.
- 12 (9) Remote location of a hospital. – A hospital-based facility that is created,
13 acquired, or purchased by a hospital or health system for the purpose of
14 furnishing inpatient services under the name, ownership, and financial and
15 administrative control of the hospital.
- 16 (b) Limits on Facility Fees. – The following limitations are applicable to facility fees:
- 17 (1) No health care provider shall charge, bill, or collect a facility fee unless the
18 services are provided on a hospital's main campus, at a remote location of a
19 hospital, at a facility that includes an emergency department, or at an
20 ambulatory surgical facility.
- 21 (2) Regardless of where the services are provided, no health care provider shall
22 charge, bill, or collect a facility fee for outpatient evaluation and management
23 services, or any other outpatient, diagnostic, or imaging services identified by
24 the Department.
- 25 (c) Identification of Services. – The Department shall annually identify services subject
26 to the limitations on facility fees provided in subdivision (2) of subsection (b) of this section that
27 may reliably be provided safely and effectively in non-hospital settings.
- 28 (d) Reporting Requirements. – Each hospital and health system shall submit a report to
29 the Department annually on July 1. The report shall be published on the Department's website
30 and shall contain the following:
- 31 (1) The name and full address of each facility owned or operated by the hospital
32 or health system that provides services for which a facility fee is charged or
33 billed.
- 34 (2) The number of patient visits at each such hospital-based facility for which a
35 facility fee was charged or billed.
- 36 (3) The number, total amount, and range of allowable facility fees paid at each
37 facility by Medicare, Medicaid, and private insurance.
- 38 (4) For each hospital-based facility and for the hospital or health system as a
39 whole, the total amount billed, and the total revenue received from facility
40 fees.
- 41 (5) The top 10 procedures or services, identified by Current Procedural
42 Terminology (CPT) category I codes, provided by the hospital or health
43 system that generated the greatest amount of facility fee gross revenue; the
44 number of each of these 10 procedures or services provided; the gross and net
45 revenue totals for each such procedure or service; and the total net amount of
46 revenue received by the hospital or health system derived from facility fees
47 for each procedure or service.
- 48 (6) Any other information the Department may require.
- 49 (e) Enforcement. – This section shall be enforced as follows:
- 50 (1) Any violation of this section constitutes an unfair or deceptive trade practice
51 in violation of G.S. 75-1.1 and is subject to all of the enforcement and penalty

provisions of an unfair or deceptive trade practice under Article 1 of Chapter 75 of the General Statutes.

(2) In addition to the remedies described in subdivision (1) of this subsection, any health care provider who violates any provision of this section shall be subject to an administrative penalty of not more than one thousand dollars (\$1,000) per occurrence."

SECTION 9L.1.(o) No later than January 1, 2026, the Department of Health and Human Services shall adopt rules necessary to implement G.S. 131E-214.54, as enacted by subsection (n) of this section.

SECTION 9L.1.(p) G.S. 131E-214.54, as enacted by subsection (n) of this section, becomes effective January 1, 2026, or on the date the rules adopted by the Department of Health and Human Services pursuant to subsection (o) of this section become effective, whichever is later, and applies to healthcare services provided on or after that date. The Department shall notify the Revisor of Statutes when the rules required under subsection (o) of this section become effective.

STATE AUDITOR REVIEW OF HEALTH SERVICE FACILITY PRICES

SECTION 9L.1.(q) G.S. 147-64.6(c) reads as rewritten:

"(c) Responsibilities. – The Auditor is responsible for the following acts and activities:

(24) The Auditor shall periodically examine (i) health service facilities, as defined in G.S. 131E-176, that are recipients of State funds and (ii) facilities licensed under Chapter 122C of the General Statutes that are recipients of State funds and report findings to the Joint Legislative Oversight Committee on Health and Human Services on April 1, 2026, and periodically thereafter. The report must include at least the following:

- a. The prices that the health service facility charges patients whose insurance is out-of-network or who are uninsured.
- b. To what extent the health service facility is transparent about the prices described in sub-subdivision a. of this subdivision."

ENHANCEMENTS TO EMPLOYEE SAFETY BY ALLOWING FOR THE REMOVAL OF CERTAIN EMPLOYEE DETAILS FROM HEALTH INSURANCE APPEALS AND GRIEVANCE REVIEWS

SECTION 9L.1.(r) G.S. 58-50-61(k) reads as rewritten:

"(k) Nonexpedited Appeals. – Within three business days after receiving a request for a standard, nonexpedited appeal, the insurer or its URO shall provide the covered person with ~~the name, address, and telephone number of the coordinator and information on how and where to submit written material.~~ material for the appeal, including contact information for the insurer. For standard, nonexpedited appeals, the insurer or its URO shall give written notification of the decision, in clear terms, to the covered person and the covered person's provider within 30 days after the insurer receives the request for an appeal. If the decision is not in favor of the covered person, the written decision shall ~~contain~~ contain all of the following information:

- (1) The professional qualifications and licensure of the person or persons reviewing the appeal.
- (2) A statement of the ~~reviewers' understanding of the reason for the covered person's basis of the appeal.~~ reviewers' decision of the appeal.
- (3) The ~~reviewers'~~ insurer's or URO's decision in clear terms and the medical rationale in sufficient detail for the covered person to respond further to the insurer's position.

...."

SECTION 9L.1.(s) G.S. 58-50-62(e) reads as rewritten:

"(e) First-Level Grievance Review. – A covered person or a covered person's provider acting on the covered person's behalf may submit a grievance. All of the following shall apply to a first-level grievance review:

- (1) The insurer ~~does not have~~ is not required to allow a covered person to attend the first-level grievance review. A covered person may submit written material. Except as provided in subdivision (3) of this subsection, within three business days after receiving a grievance, the insurer shall provide the covered person with ~~the name, address, and telephone number of the coordinator and information on where and how to submit written material~~ material for the first-level grievance review, including contact information for the insurer.
- (2) An insurer shall issue a written decision, in clear terms, to the covered person and, if applicable, to the covered person's provider, within 30 days after receiving a grievance. The person or persons reviewing the grievance shall not be the same person or persons who initially handled the matter that is the subject of the grievance and, if the issue is a clinical one, at least one of whom shall be a medical doctor with appropriate expertise to evaluate the matter. Except as provided in subdivision (3) of this subsection, if the decision is not in favor of the covered person, the written decision issued in a first-level grievance review shall ~~contain~~ contain all of the following information:
 - a. The professional qualifications and licensure of the person or persons reviewing the grievance.
 - b. A statement of the ~~reviewers' understanding~~ basis of the grievance.
 - c. The ~~reviewers'~~ insurer's decision in clear terms and the contractual basis or medical rationale in sufficient detail for the covered person to respond further to the insurer's position.

...."

SECTION 9L.1.(t) G.S. 58-50-62(f) reads as rewritten:

"(f) Second-Level Grievance Review. – An insurer shall establish a second-level grievance review process for covered persons who are dissatisfied with the first-level grievance review decision or a utilization review appeal decision. A covered person or the covered person's provider acting on the covered person's behalf may submit a second-level grievance. All of the following shall apply to a second-level grievance review:

- (1) An insurer shall, within 10 business days after receiving a request for a second-level grievance review, ~~make known to~~ provide the covered ~~person~~ person all of the following information:
 - a. ~~The name, address, and telephone number of a person designated to coordinate the grievance review for the insurer.~~ Information on how and where to submit written material for the second-level grievance review, including contact information for the insurer.

...."

SECTION 9L.1.(u) Subsections (r) through (t) of this section are effective when they become law.

UPDATED HEALTH INSURER PRIOR AUTHORIZATION REQUIREMENTS

SECTION 9L.1.(v) G.S. 58-50-61 reads as rewritten:

"§ 58-50-61. Utilization review.

(a) Definitions. – ~~As used~~ The following definitions apply in this section, in G.S. 58-50-62, and in Part 4 of this Article, the term: Article:

...

1 (2a) Course of treatment. – A prescribed order or ordered treatment protocol for a
 2 specific covered person with a specific condition that is outlined and decided
 3 upon ahead of time with the covered person and healthcare provider and
 4 approved by the insurer or utilization review organization when prospective
 5 review is applicable.

6 ...

7 (8) ~~"Health care provider" means any person who is licensed, registered, or~~
 8 ~~certified under Chapter 90 of the General Statutes or the laws of another state~~
 9 ~~to provide health care services in the ordinary care of business or practice or~~
 10 ~~a profession or in an approved education or training program; a health care~~
 11 ~~facility as defined in G.S. 131E-176(9b) or the laws of another state to operate~~
 12 ~~as a health care facility; or a pharmacy.~~Healthcare provider. – As defined in
 13 G.S. 90-410.

14 ...

15 (14a) Prior authorization. – The process by which insurers and UROs determine
 16 coverage on the basis of medical necessity and/or covered benefits prior to the
 17 rendering of those services.

18 ...

19 (16a) Urgent health care service. – A health care service, including mental and
 20 behavioral health care services, with respect to which the application of the
 21 time periods for making an urgent care determination that, in the opinion of a
 22 healthcare provider with knowledge of the covered person's medical
 23 condition, meets either of the following criteria:

24 a. Could seriously jeopardize the life or health of the covered person or
 25 the ability of the covered person to regain maximum function.

26 b. Would subject the covered person to severe pain that cannot be
 27 adequately managed without the care or treatment that is the subject
 28 of the utilization review.

29 ...

30 (f) Time Lines for Prospective and Concurrent Utilization Reviews Based Upon Type of
 31 Health Care Service. – As used in this subsection, the term "necessary information" includes the
 32 results of any patient examination, clinical evaluation, or second opinion that may be required.
 33 ~~Prospective and concurrent determinations shall be communicated to~~The time line for
 34 completion of a prospective or concurrent utilization review is as follows:

35 (1) Non-urgent health care services. – If an insurer requires a prior authorization
 36 review of a healthcare service, then the insurer or its URO shall both render a
 37 prior authorization review determination or noncertification and notify the
 38 covered person and the covered person's provider within three business days
 39 after the insurer obtains all necessary information about the admission,
 40 procedure, or health care service. to make the prior authorization review
 41 determination or noncertification.

42 (2) Urgent health care services. – An insurer or its URO shall both render a
 43 utilization review determination or noncertification concerning urgent health
 44 care services and notify the covered person and the covered person's provider
 45 of that utilization review determination or noncertification not later than 24
 46 hours after receiving all necessary information needed to complete the review
 47 of the requested health care services. If the covered person's provider or the
 48 insurer, or the entity conducting the review on behalf of the insurer, do not
 49 both have access to the electronic health records of the covered person, then
 50 this subdivision shall not apply and the utilization review will be subject to
 51 the time line under subdivision (1) of this subsection.

1 (f1) Prior Authorization Determination Notifications. – If an insurer or its URO certifies
2 a health care service, ~~the insurer shall notify~~ notification shall be sent to the covered person's
3 provider. ~~For~~ If an insurer or its URO issues a noncertification, ~~the insurer shall notify the covered~~
4 person's provider and send then written or electronic confirmation of the noncertification to the
5 covered person's provider and covered person. In person that is in compliance with subsection
6 (h) of this section.

7 (f2) Concurrent Review Liability. – For concurrent reviews, the insurer shall remain liable
8 for ~~health care~~ healthcare services until the covered person has been notified of the
9 noncertification.

10 ...

11 (j1) Requirements Applicable to Appeals Reviews. – All of the following requirements
12 apply to an appeals review:

13 (1) Except as otherwise provided, appeals shall be reviewed by a licensed
14 physician who meets all of the following criteria:

15 a. Possesses a current and valid non-restricted license to practice
16 medicine in any United States jurisdiction.

17 b. Has practiced for a period of at least three consecutive years in the
18 same or similar specialty as a medical doctor who typically manages
19 the medical condition or disease for which prior authorization review
20 is required or whose training and experience meets all of the following
21 criteria:

22 1. Includes treatment of the same condition as the condition of
23 the covered person.

24 2. Includes treatment of complications that may result from the
25 service or procedure that is the subject of the appeal.

26 3. Is sufficient for the medical doctor to determine if the service
27 or procedure is medically necessary or clinically appropriate.

28 c. Had no direct involvement in making the prior adverse determination
29 or noncertification that is the subject of the appeal.

30 d. Has no financial interest, or other conflict of interest, in the outcome
31 of the appeal.

32 (2) Appeals initiated by a licensed mental health professional for a service
33 provided by a licensed mental health professional may be reviewed by a
34 licensed mental health professional rather than a medical doctor. The
35 requirements of subdivision (1) of this subsection shall apply to the reviewing
36 licensed mental health professional in the same manner that they apply to a
37 medical doctor.

38 (3) The medical doctor or licensed mental health professional shall consider all
39 known clinical aspects of the healthcare service under review, including all
40 pertinent medical records and any medical literature that have been provided
41 by the covered person's provider or by a health care facility.

42 ...

43 (m) Disclosure of Utilization Review Requirements. – All of the following apply to an
44 insurer's responsibility to disclose any utilization review procedures:

45 (1) Coverage and member handbook. – In the certificate of coverage and member
46 handbook provided to covered persons, an insurer shall include a clear and
47 comprehensive description of its utilization review procedures, including the
48 procedures for appealing noncertifications and a statement of the rights and
49 responsibilities of covered persons, including the voluntary nature of the
50 appeal process, with respect to those procedures. An insurer shall also include
51 in the certificate of coverage and the member handbook information about the

1 availability of assistance from the Department's Health Insurance Smart NC,
2 including the telephone number and address of the ~~Program~~-program.

3 (2) Prospective materials. – An insurer shall include a summary of its utilization
4 review procedures in materials intended for prospective covered persons.

5 (3) Membership cards. – An insurer shall print on its membership cards a toll-free
6 telephone number to call for utilization review purposes.

7 (4) Website. – An insurer shall make any current prior authorization requirements
8 and restrictions readily accessible on its website.

9 (m1) Changes to Prior Authorization. – If an insurer intends either to implement a new
10 prior authorization review requirement or restriction or to amend an existing requirement or
11 restriction, then the new or amended requirement shall not be in effect unless and until the
12 insurer's website has been updated to reflect the new or amended requirement or restriction. A
13 claim shall not be denied for failure to obtain a prior authorization if the prior authorization
14 requirement or amended requirement was not in effect on the date of service of the claim.

15 ...

16 (n1) Prior Authorization Determination Validity. – All of the following apply to the length
17 of time an approved prior authorization shall remain valid under certain circumstances:

18 (1) If a covered person enrolls in a new health benefit plan offered by the same
19 insurer under which the prior authorization was approved, then the previously
20 approved prior authorization remains valid for the initial 90 days of coverage
21 under the new health benefit plan. This section does not require coverage of a
22 service if it is not a covered service under the new health benefit plan.

23 (2) If a healthcare service, other than for in-patient care, requires prior
24 authorization and is for the treatment of a covered person's chronic condition,
25 then the prior authorization shall remain valid for no less than six months from
26 the date the healthcare provider receives notification of the prior authorization
27 approval.

28 ...

29 (o) Violation. – ~~A~~In accordance with this Chapter, a violation of this section subjects an
30 insurer and an agent of the insurer to G.S. 58-2-70.

31 (p) Federal Rule Alignment. – No later than January 1, 2028, an insurer offering a health
32 benefit plan or a utilization review agent acting on behalf of an insurer offering a health benefit
33 plan, shall implement and maintain a prior authorization application programming interface
34 meeting the requirements under 45 C.F.R. § 156.223(b) as it existed on January 1, 2025.

35 (q) Reserved for future codification purposes.

36 (r) Reserved for future codification purposes.

37 (s) Artificial Intelligence. – An artificial intelligence-based algorithm shall not be used
38 as the sole basis to deny a utilization review determination."

39 **SECTION 9L.1.(w)** In accordance with G.S. 135-48.24(b) and G.S. 135-48.30(a)(7)
40 which require the State Treasurer to implement procedures that are substantially similar to the
41 provisions of G.S. 58-50-61 for the North Carolina State Health Plan for Teachers and State
42 Employees (State Health Plan), the State Treasurer and the Executive Administrator of the State
43 Health Plan shall review all practices of the State Health Plan and all contracts with, and practices
44 of, any third party conducting any utilization review on behalf of the State Health Plan to ensure
45 compliance with subsection (v) of this section no later than the start of the next plan year.

46 **SECTION 9L.1.(x)** Subsection (v) of this section becomes effective October 1,
47 2026, and applies to insurance contracts, including contracts with utilization review
48 organizations, issued, renewed, or amended on or after that date.

49 **EFFECTIVE DATE**
50

1 **SECTION 9L.1.(y)** Except as otherwise provided, this section is effective when it
2 becomes law.

3
4 **THE NINJA'S LAW**

5 **SECTION 9L.2.(a)** Article 2 of Chapter 90 of the General Statutes is amended by
6 adding a new section to read:

7 **"§ 90-30.3. Reports of adverse events.**

8 (a) A dentist who holds a permit to administer general anesthesia or sedation shall submit
9 an adverse event report to the Board within 72 hours after each adverse event if the patient dies
10 or has permanent organic brain dysfunction within 24 hours after the administration of general
11 anesthesia or sedation. Sedation permit holders shall cease administration of sedation until the
12 Board has investigated the death or permanent organic brain dysfunction and approved
13 resumption of permit privileges. General anesthesia permit holders shall cease administration of
14 general anesthesia and sedation until the Board has reviewed the adverse event report and
15 approved resumption of permit privileges.

16 (b) A dentist who holds a permit to administer general anesthesia or sedation shall submit
17 an adverse event report to the Board within 30 days after each adverse event if the patient is
18 admitted to a hospital on inpatient status for a medical emergency or physical injury within 24
19 hours after the administration of general anesthesia or sedation.

20 (c) A dentist who holds a permit to administer general anesthesia or sedation shall submit
21 an adverse event report to the Board within 30 days after each adverse event.

22 (d) The adverse event report shall be in writing and shall include, at a minimum, all of
23 the following:

24 (1) Dentist's name, license number, and permit number.

25 (2) Date and time of the occurrence.

26 (3) Facility where the occurrence took place.

27 (4) Name and address of the patient.

28 (5) Surgical procedure involved.

29 (6) Type and dosage of sedation or anesthesia utilized in the procedure.

30 (7) Circumstances involved in the occurrence.

31 (8) The entire patient treatment record, including anesthesia records.

32 (e) Upon receipt of an adverse event report under this section, the Board shall investigate
33 and shall take disciplinary action if the evidence demonstrates that a licensee has violated this
34 Article.

35 (f) For the purposes of this section, the term "adverse event" means any of the following
36 clinical emergencies: anaphylaxis, aspiration, cardiac arrest, or unplanned advanced airway
37 placement."

38 **SECTION 9L.2.(b)** The North Carolina Policy Collaboratory at the University of
39 North Carolina at Chapel Hill shall conduct a study to evaluate whether a second health care
40 provider who is qualified to provide anesthesia services is needed when utilizing drugs that can
41 lead to deep sedation, such as propofol. The Collaboratory shall submit a report to the Joint
42 Legislative Oversight Committee on Health and Human Services by April 1, 2026, with any
43 legislative recommendations addressing this issue.

44 **SECTION 9L.2.(c)** Subsection (a) of this section becomes effective October 1, 2025.
45 The remainder of this section is effective when it becomes law.

46
47 **CLARIFICATION OF PARTNERSHIPS REGARDING THE PRACTICE OF**
48 **DENTISTRY**

49 **SECTION 9L.3.** G.S. 90-29(c) reads as rewritten:

50 "(c) The following acts, practices, or operations, however, shall not constitute the unlawful
51 practice of dentistry:

1 ...
2 (15) The mechanism by which a "management company," as that term is defined
3 in G.S. 90-40.2(a)(4), and a licensee establish the fee in a "management
4 arrangement," as that term is defined in G.S. 90-40.2(a)(3). A management
5 fee established under this exception is a private business contract and shall not
6 be construed to be evidence of a partnership under Chapter 59 of the General
7 Statutes."
8

9 **PART IX-M. DHHS BLOCK GRANTS**

10
11 **DHHS BLOCK GRANTS**

12 **SECTION 9M.1.(a)** Except as otherwise provided, appropriations from federal
13 Block Grant funds are made for each year of the fiscal biennium ending June 30, 2027, according
14 to the following schedule:

15
16 **TEMPORARY ASSISTANCE FOR NEEDY** **FY 2025-2026** **FY 2026-2027**
17 **FAMILIES (TANF) FUNDS**

18 **Local Program Expenditures**

19
20
21 **Division of Social Services**

| | | | |
|----|---|--------------|--------------|
| 22 | | | |
| 23 | 01. Work First Family Assistance | \$23,259,794 | \$23,259,794 |
| 24 | | | |
| 25 | 02. Work First County Block Grants | 80,093,566 | 80,093,566 |
| 26 | | | |
| 27 | 03. Work First Electing Counties | 2,378,213 | 2,378,213 |
| 28 | | | |
| 29 | 04. Adoption Services – Special Children | | |
| 30 | Adoption Fund | 4,001,676 | 4,001,676 |
| 31 | | | |
| 32 | 05. Child Protective Services – Child Welfare | | |
| 33 | Workers for Local DSS | 13,219,619 | 13,219,619 |
| 34 | | | |
| 35 | 06. Child Welfare Program Improvement Plan | 775,176 | 775,176 |
| 36 | | | |
| 37 | 07. Child Welfare Collaborative | 400,000 | 400,000 |
| 38 | | | |
| 39 | 08. Child Welfare Initiatives | 1,400,000 | 1,400,000 |
| 40 | | | |
| 41 | 09. Kinship Care Assistance | 4,000,000 | 4,000,000 |
| 42 | | | |

43 **Division of Child Development and Early Education**

| | | | |
|----|-----------------------------------|------------|------------|
| 44 | | | |
| 45 | 10. Subsidized Child Care Program | 62,413,694 | 62,413,694 |
| 46 | | | |
| 47 | 11. NC Pre-K Services | 68,300,000 | 68,300,000 |
| 48 | | | |

49 **Division of Public Health**

| | | | |
|----|---|-----------|-----------|
| 50 | | | |
| 51 | 12. Teen Pregnancy Prevention Initiatives | 3,538,541 | 3,538,541 |

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DHHS Administration

| | | |
|---|-----------|-----------|
| 13. Division of Social Services | 2,478,284 | 2,478,284 |
| 14. Division of Child and Family Well-Being | 3,976 | 3,976 |
| 15. Office of the Secretary | 34,042 | 34,042 |
| 16. Eligibility Systems – Operations and Maintenance | 431,733 | 431,733 |
| 17. NC FAST Implementation | 428,239 | 428,239 |
| 18. Division of Social Services – Workforce Innovation & Opportunity Act (WIOA) | 93,216 | 93,216 |
| 19. Division of Social Services TANF Modernization | 1,667,571 | 1,667,571 |

Transfers to Other Block Grants**Division of Child Development and Early Education**

| | | |
|---|------------|------------|
| 20. Transfer to the Child Care and Development Fund | 21,773,001 | 21,773,001 |
|---|------------|------------|

Division of Social Services

| | | |
|---|------------|------------|
| 21. Transfer to Social Services Block Grant for Child Protective Services – Training | 285,612 | 285,612 |
| 22. Transfer to Social Services Block Grant for Child Protective Services | 5,040,000 | 5,040,000 |
| 23. Transfer to Social Services Block Grant for County Departments of Social Services for Children's Services | 13,166,244 | 13,166,244 |
| 24. Transfer to Social Services Block Grant – Foster Care Services | 3,422,219 | 3,422,219 |
| 25. Transfer to Social Services Block Grant – Child Advocacy Centers | 1,582,000 | 1,582,000 |

TOTAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS

\$314,186,416 \$314,186,416

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) EMERGENCY CONTINGENCY FUNDS

| | | | |
|----|--|---------------------|---------------------|
| 1 | Local Program Expenditures | | |
| 2 | | | |
| 3 | Division of Child Development and Early Education | | |
| 4 | | | |
| 5 | 01. Subsidized Child Care | \$34,337,395 | \$34,337,395 |
| 6 | | | |
| 7 | TOTAL TEMPORARY ASSISTANCE FOR | | |
| 8 | NEEDY FAMILIES (TANF) EMERGENCY | | |
| 9 | CONTINGENCY FUNDS | \$34,337,395 | \$34,337,395 |
| 10 | | | |
| 11 | SOCIAL SERVICES BLOCK GRANT | | |
| 12 | | | |
| 13 | Local Program Expenditures | | |
| 14 | | | |
| 15 | Divisions of Social Services and Aging | | |
| 16 | | | |
| 17 | 01. County Departments of Social Services | \$19,837,388 | \$19,837,388 |
| 18 | | | |
| 19 | 02. County Departments of Social Services | | |
| 20 | (Transfer From TANF) | 13,166,244 | 13,166,244 |
| 21 | | | |
| 22 | 03. EBCI Tribal Public Health and Human Services | 244,740 | 244,740 |
| 23 | | | |
| 24 | 04. Child Protective Services | | |
| 25 | (Transfer From TANF) | 5,040,000 | 5,040,000 |
| 26 | | | |
| 27 | 05. State In-Home Services Fund | 1,943,950 | 1,943,950 |
| 28 | | | |
| 29 | 06. Adult Protective Services | 3,864,547 | 2,138,404 |
| 30 | | | |
| 31 | 07. State Adult Day Care Fund | 1,994,084 | 1,994,084 |
| 32 | | | |
| 33 | 08. Child Protective Services/CPS | | |
| 34 | Investigative Services – Child Medical | | |
| 35 | Evaluation Program | 901,868 | 901,868 |
| 36 | | | |
| 37 | 09. Special Children Adoption Incentive Fund | 462,600 | 462,600 |
| 38 | | | |
| 39 | 10. Child Protective Services – Child | | |
| 40 | Welfare Training for Counties | | |
| 41 | (Transfer From TANF) | 285,612 | 285,612 |
| 42 | | | |
| 43 | 11. Home and Community Care Block | | |
| 44 | Grant (HCCBG) | 2,696,888 | 2,696,888 |
| 45 | | | |
| 46 | 12. Child Advocacy Centers | | |
| 47 | (Transfer From TANF) | 1,582,000 | 1,582,000 |
| 48 | | | |
| 49 | 13. Guardianship – Division of Social Services | 1,802,671 | 1,802,671 |
| 50 | | | |
| 51 | 14. Foster Care Services | | |

| | | | |
|----|--|-----------|-----------|
| 1 | (Transfer From TANF) | 3,422,219 | 3,422,219 |
| 2 | | | |
| 3 | 14A. Big Brothers Big Sisters of the Triangle, Inc. | 350,000 | 350,000 |
| 4 | | | |
| 5 | Division of Mental Health, Developmental Disabilities, and Substance Use Services | | |
| 6 | | | |
| 7 | 15. Mental Health Services – Adult and | | |
| 8 | Child/Developmental Disabilities Program/ Substance Use Services – Adult | 4,149,595 | 4,149,595 |
| 9 | | | |
| 10 | | | |
| 11 | 15A. Autism Society of North Carolina, Inc. | 2,541,392 | 2,541,392 |
| 12 | | | |
| 13 | 15B. The Arc of North Carolina, Inc. | 271,074 | 271,074 |
| 14 | | | |
| 15 | 15C. Easterseals UCP North Carolina & Virginia, Inc. | 1,612,059 | 1,612,059 |
| 16 | | | |
| 17 | DHHS Program Expenditures | | |
| 18 | | | |
| 19 | Division of Services for the Blind | | |
| 20 | | | |
| 21 | 16. Independent Living Program & Program | | |
| 22 | Oversight | 4,237,849 | 4,237,849 |
| 23 | | | |
| 24 | Division of Health Service Regulation | | |
| 25 | | | |
| 26 | 17. Adult Care Licensure Program | 891,520 | 891,520 |
| 27 | | | |
| 28 | 18. Mental Health Licensure and | | |
| 29 | Certification Program | 266,158 | 266,158 |
| 30 | | | |
| 31 | Division of Aging | | |
| 32 | | | |
| 33 | 19. Guardianship | 3,825,443 | 3,825,443 |
| 34 | | | |
| 35 | DHHS Administration | | |
| 36 | | | |
| 37 | 20. Division of Aging | 188,787 | 188,787 |
| 38 | | | |
| 39 | 21. Division of Social Services | 1,724,551 | 1,724,551 |
| 40 | | | |
| 41 | 22. Office of the Secretary/Controller's Office | 673,990 | 673,990 |
| 42 | | | |
| 43 | 23. Legislative Increases/Fringe Benefits | 293,655 | 587,310 |
| 44 | | | |
| 45 | 24. Division of Child Development and | | |
| 46 | Early Education | 13,878 | 13,878 |
| 47 | | | |
| 48 | 25. Division of Mental Health, Developmental | | |
| 49 | Disabilities, and Substance Use Services | 29,966 | 29,966 |
| 50 | | | |
| 51 | 26. Division of Health Service Regulation | 592,882 | 592,882 |

| | | | |
|----|--|---------------------|---------------------|
| 1 | | | |
| 2 | TOTAL SOCIAL SERVICES BLOCK GRANT | \$78,907,610 | \$77,475,122 |
| 3 | | | |
| 4 | LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT | | |
| 5 | | | |
| 6 | Local Program Expenditures | | |
| 7 | | | |
| 8 | Division of Social Services | | |
| 9 | | | |
| 10 | 01. Low-Income Energy Assistance | | |
| 11 | Program (LIEAP) | \$56,369,281 | \$56,369,281 |
| 12 | | | |
| 13 | 02. Crisis Intervention Program (CIP) | 44,804,354 | 44,804,354 |
| 14 | | | |
| 15 | Local Administration | | |
| 16 | | | |
| 17 | Division of Social Services | | |
| 18 | | | |
| 19 | 03. County DSS Administration | 8,037,889 | 8,037,889 |
| 20 | | | |
| 21 | DHHS Administration | | |
| 22 | | | |
| 23 | Division of Social Services | | |
| 24 | | | |
| 25 | 04. Administration | 10,000 | 10,000 |
| 26 | | | |
| 27 | 05. Energy Portal (FIS Transaction Fees) | 25,000 | 25,000 |
| 28 | | | |
| 29 | Division of Central Management and Support | | |
| 30 | | | |
| 31 | 06. Office of the Secretary/Division of Information Resource | | |
| 32 | Management (DIRM) (Accountable Results for | | |
| 33 | Community Action (AR4CA) Replacement System) | 166,750 | 166,750 |
| 34 | | | |
| 35 | 07. Office of the Secretary/DIRM | 278,954 | 278,954 |
| 36 | | | |
| 37 | 08. Office of the Secretary/Controller's Office | 18,378 | 18,378 |
| 38 | | | |
| 39 | 09. NC FAST Development | 627,869 | 627,869 |
| 40 | | | |
| 41 | 10. NC FAST Operations and Maintenance | 1,330,323 | 1,330,323 |
| 42 | | | |
| 43 | Transfers to Other State Agencies | | |
| 44 | | | |
| 45 | Department of Environmental Quality | | |
| 46 | | | |
| 47 | 11. Weatherization Program | 10,356,943 | 10,356,943 |
| 48 | | | |
| 49 | 12. Heating Air Repair and Replacement | | |
| 50 | Program (HARRP) | 5,898,508 | 5,898,508 |
| 51 | | | |

| | | | |
|----|--|----------------------|----------------------|
| 1 | 13. Local Residential Energy Efficiency Service | | |
| 2 | Providers – Weatherization | 574,945 | 574,945 |
| 3 | | | |
| 4 | 14. Local Residential Energy Efficiency Service | | |
| 5 | Providers – HARRP | 319,414 | 319,414 |
| 6 | | | |
| 7 | 15. DEQ – Weatherization Administration | 628,180 | 628,180 |
| 8 | | | |
| 9 | 16. DEQ – HARRP Administration | 393,944 | 393,944 |
| 10 | | | |
| 11 | Department of Administration | | |
| 12 | | | |
| 13 | 17. N.C. Commission on Indian Affairs | 87,736 | 87,736 |
| 14 | | | |
| 15 | TOTAL LOW-INCOME ENERGY | | |
| 16 | ASSISTANCE BLOCK GRANT | \$129,928,468 | \$129,928,468 |
| 17 | | | |
| 18 | CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT | | |
| 19 | | | |
| 20 | Local Program Expenditures | | |
| 21 | | | |
| 22 | Division of Child Development and Early Education | | |
| 23 | | | |
| 24 | 01. Child Care Services | \$332,089,929 | \$332,089,929 |
| 25 | | | |
| 26 | 02. Smart Start Subsidy | 7,392,654 | 7,392,654 |
| 27 | | | |
| 28 | 03. Transfer from TANF Block Grant | | |
| 29 | for Child Care Subsidies | 21,773,001 | 21,773,001 |
| 30 | | | |
| 31 | 04. Quality and Availability Initiatives | | |
| 32 | (TEACH Program \$3,800,000; | | |
| 33 | Family Child Care Home Direct Support | | |
| 34 | Pilot Program \$3,000,000) | 77,480,526 | 67,780,527 |
| 35 | | | |
| 36 | DHHS Administration | | |
| 37 | | | |
| 38 | Division of Child Development and Early Education | | |
| 39 | | | |
| 40 | 05. DCDEE Administrative Expenses | 9,710,886 | 9,710,886 |
| 41 | | | |
| 42 | 06. Indirect Cost | 7,346 | 7,346 |
| 43 | | | |
| 44 | Division of Social Services | | |
| 45 | | | |
| 46 | 07. Direct Deposit for Child Care Payments | 5,000 | 5,000 |
| 47 | | | |
| 48 | 08. Local Subsidized Child Care | | |
| 49 | Services Support | 18,780,355 | 18,780,355 |
| 50 | | | |
| 51 | Division of Central Management and Support | | |

| | | | |
|----|--|----------------------|----------------------|
| 1 | | | |
| 2 | 09. NC FAST Operations and Maintenance | 1,450,316 | 1,450,316 |
| 3 | | | |
| 4 | 10. DHHS Central Administration – DIRM | | |
| 5 | Technical Services | 1,029,762 | 1,029,762 |
| 6 | | | |
| 7 | 11. DHHS Central Administration | 118,000 | 118,000 |
| 8 | | | |
| 9 | Division of Child and Family Well-Being | | |
| 10 | | | |
| 11 | 12. Child Care Health Consultation Contracts | 62,205 | 62,205 |
| 12 | | | |
| 13 | TOTAL CHILD CARE AND DEVELOPMENT | | |
| 14 | FUND BLOCK GRANT | \$469,899,980 | \$469,199,981 |
| 15 | | | |
| 16 | COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT | | |
| 17 | | | |
| 18 | Local Program Expenditures | | |
| 19 | | | |
| 20 | 01. Mental Health Services – Child | \$2,477,666 | \$2,477,666 |
| 21 | | | |
| 22 | 02. Mental Health Services – Adult/Child | 19,443,833 | 19,443,833 |
| 23 | | | |
| 24 | 03. Mental Health Services – First | | |
| 25 | Psychotic Symptom Treatment | 4,208,378 | 4,208,378 |
| 26 | | | |
| 27 | 04. Child Behavioral Health (Division of Child | | |
| 28 | and Family Well-Being) | 5,246,350 | 5,246,350 |
| 29 | | | |
| 30 | DHHS Administration | | |
| 31 | | | |
| 32 | Division of Child and Family Well-Being | | |
| 33 | | | |
| 34 | 05. Administration | 140,000 | 140,000 |
| 35 | | | |
| 36 | Division of Mental Health, Developmental Disabilities, and Substance Use Services | | |
| 37 | | | |
| 38 | 06. Crisis Services | 2,377,047 | 2,377,047 |
| 39 | | | |
| 40 | 07. Administration | 332,351 | 332,351 |
| 41 | | | |
| 42 | 08. Adult/Child Mental Health Services | 350,150 | 350,150 |
| 43 | | | |
| 44 | Division of Public Health | | |
| 45 | | | |
| 46 | 09. NC Detect – Behavioral Health ER | 35,000 | 35,000 |
| 47 | | | |
| 48 | TOTAL COMMUNITY MENTAL HEALTH SERVICES | | |
| 49 | BLOCK GRANT | \$34,610,775 | \$34,610,775 |
| 50 | | | |

1 **SUBSTANCE USE PREVENTION, TREATMENT, AND RECOVERY SERVICES**
 2 **BLOCK GRANT**

3
 4 **Local Program Expenditures**

5
 6 **Division of Mental Health, Developmental Disabilities, and Substance Use Services**

| | | | |
|----|--|-------------|-------------|
| 7 | | | |
| 8 | 01. Substance Abuse – IV Drug | \$2,000,000 | \$2,000,000 |
| 9 | | | |
| 10 | 02. Substance Abuse Prevention | 13,351,864 | 13,351,864 |
| 11 | | | |
| 12 | 03. Substance Use Services – Treatment for | | |
| 13 | Children/Adults | | |
| 14 | (Healing Transitions, Inc. \$200,000; | | |
| 15 | Triangle Residential Options for Substance | | |
| 16 | Abusers, Inc., (TROSAs) \$3,225,000; | | |
| 17 | First Step Farm of WNC, Inc. \$100,000; | | |
| 18 | Addiction Recovery Care Association, Inc., | | |
| 19 | (ARCA) \$2,000,000) | 40,038,949 | 40,038,949 |
| 20 | | | |

21 **DHHS Program Expenditures**

22
 23 **Division of Mental Health, Developmental Disabilities, and Substance Use Services**

| | | | |
|----|---|-----------|-----------|
| 24 | | | |
| 25 | 04. Crisis Solutions Initiatives – Collegiate | | |
| 26 | Wellness/Addiction Recovery | 1,545,205 | 1,545,205 |
| 27 | | | |
| 28 | 05. Veterans Initiatives | 250,000 | 250,000 |
| 29 | | | |

30 **DHHS Administration**

31
 32 **Division of Mental Health, Developmental Disabilities, and Substance Use Services**

| | | | |
|----|---|-----------|-----------|
| 33 | | | |
| 34 | 07. Administration | 2,297,852 | 2,297,852 |
| 35 | | | |
| 36 | 08. Controlled Substance Reporting System | 675,000 | 675,000 |
| 37 | | | |

38 **TOTAL SUBSTANCE USE PREVENTION, TREATMENT, AND RECOVERY**
 39 **SERVICES BLOCK GRANT**

\$60,158,870 \$60,158,870

40
 41 **MATERNAL AND CHILD HEALTH BLOCK GRANT**

42
 43 **Local Program Expenditures**

44
 45 **Division of Child and Family Well-Being**

| | | | |
|----|---------------------------------------|--------------|--------------|
| 46 | | | |
| 47 | 01. Children's Health Services | | |
| 48 | (Prevent Blindness \$575,000; | | |
| 49 | Nurse-Family Partnership \$1,102,308) | \$11,646,618 | \$11,646,618 |
| 50 | | | |

51 **Division of Public Health**

| | | | |
|----|--|---------------------|---------------------|
| 1 | | | |
| 2 | 02. Women's and Children's Health Services | | |
| 3 | (March of Dimes \$350,000; Sickle Cell | | |
| 4 | Centers \$100,000; Teen Pregnancy Prevention | | |
| 5 | Initiatives \$650,000; Perinatal & Neonatal Outreach | | |
| 6 | Coordinator Contracts \$440,000; Mountain Area | | |
| 7 | Pregnancy Services \$50,000) | 5,453,930 | 5,453,930 |
| 8 | | | |
| 9 | 03. Oral Health | 58,413 | 58,413 |
| 10 | | | |
| 11 | 04. Evidence-Based Programs in Counties | | |
| 12 | With the Highest Infant Mortality Rates | 1,727,307 | 1,727,307 |
| 13 | | | |
| 14 | DHHS Program Expenditures | | |
| 15 | | | |
| 16 | 05. Children's Health Services | 1,287,619 | 1,287,619 |
| 17 | | | |
| 18 | 06. Women's Health – Maternal Health | 489,568 | 489,568 |
| 19 | | | |
| 20 | 07. Women's and Children's Health – Perinatal | | |
| 21 | Strategic Plan Support Position | 81,112 | 81,112 |
| 22 | | | |
| 23 | 08. State Center for Health Statistics | 158,583 | 158,583 |
| 24 | | | |
| 25 | 09. Health Promotion – Injury and | | |
| 26 | Violence Prevention | 87,271 | 87,271 |
| 27 | | | |
| 28 | DHHS Administration | | |
| 29 | | | |
| 30 | 10. Division of Public Health Administration | 340,646 | 340,646 |
| 31 | | | |
| 32 | 11. Division of Child and Family Well-Being | | |
| 33 | Administration | 211,925 | 211,925 |
| 34 | | | |
| 35 | TOTAL MATERNAL AND CHILD | | |
| 36 | HEALTH BLOCK GRANT | \$21,542,992 | \$21,542,992 |
| 37 | | | |
| 38 | PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT | | |
| 39 | | | |
| 40 | Local Program Expenditures | | |
| 41 | | | |
| 42 | 01. Physical Activity and Prevention | \$3,081,442 | \$3,081,442 |
| 43 | | | |
| 44 | DHHS Program Expenditures | | |
| 45 | | | |
| 46 | Division of Public Health | | |
| 47 | | | |
| 48 | 02. HIV/STD Prevention and | | |
| 49 | Community Planning | 135,063 | 135,063 |
| 50 | | | |
| 51 | 03. Oral Health Preventive Services | 150,000 | 150,000 |

| | | | |
|----|---|---------------------|---------------------|
| 1 | | | |
| 2 | 04. Injury and Violence Prevention | | |
| 3 | (Services to Rape Victims – Set-Aside) | 217,935 | 217,935 |
| 4 | | | |
| 5 | 05. Performance Improvement and | | |
| 6 | Accountability | 1,384,421 | 1,199,557 |
| 7 | | | |
| 8 | 06. State Center for Health Statistics | 48,000 | 48,000 |
| 9 | | | |
| 10 | DHHS Administration | | |
| 11 | | | |
| 12 | Division of Public Health | | |
| 13 | | | |
| 14 | 07. Division of Public Health | 65,000 | 65,000 |
| 15 | | | |
| 16 | TOTAL PREVENTIVE HEALTH AND HEALTH | | |
| 17 | SERVICES BLOCK GRANT | \$5,081,861 | \$4,896,997 |
| 18 | | | |
| 19 | COMMUNITY SERVICES BLOCK GRANT | | |
| 20 | | | |
| 21 | 01. Community Action Agencies | \$22,370,334 | \$21,483,238 |
| 22 | | | |
| 23 | 02. Limited Purpose Agencies/Discretionary Funding | 457,553 | 504,718 |
| 24 | | | |
| 25 | 03. Office of Economic Opportunity | 1,070,001 | 1,024,351 |
| 26 | | | |
| 27 | 04. Office of the Secretary/DIRM (Accountable Results for | | |
| 28 | Community Action (AR4CA) Replacement System) | 394,964 | 414,713 |
| 29 | | | |
| 30 | 05. Office of Economic Opportunity – Workforce | | |
| 31 | Investment Opportunities Act (WIOA) | 60,000 | 60,000 |
| 32 | | | |
| 33 | TOTAL COMMUNITY SERVICES | | |
| 34 | BLOCK GRANT | \$24,400,017 | \$23,487,020 |
| 35 | | | |
| 36 | GENERAL PROVISIONS | | |
| 37 | SECTION 9M.1.(b) Information to be Included in Block Grant Plans. – The | | |
| 38 | Department of Health and Human Services shall submit a separate plan for each Block Grant | | |
| 39 | received and administered by the Department, and each plan shall include the following: | | |
| 40 | (1) A delineation of the proposed allocations by program or activity, including | | |
| 41 | State and federal match requirements. | | |
| 42 | (2) A delineation of the proposed State and local administrative expenditures. | | |
| 43 | (3) An identification of all new positions to be established through the Block | | |
| 44 | Grant, including permanent, temporary, and time-limited positions. | | |
| 45 | (4) A comparison of the proposed allocations by program or activity with two | | |
| 46 | prior years' program and activity budgets and two prior years' actual program | | |
| 47 | or activity expenditures. | | |
| 48 | (5) A projection of current year expenditures by program or activity. | | |
| 49 | (6) A projection of federal Block Grant funds available, including unspent federal | | |
| 50 | funds from the current and prior fiscal years. | | |

1 (7) The required amount of maintenance of effort and the amount of funds
2 qualifying for maintenance of effort in the previous year delineated by
3 program or activity.

4 **SECTION 9M.1.(c)** Changes in Federal Fund Availability. – If the Congress of the
5 United States increases the federal fund availability for any of the Block Grants or contingency
6 funds and other grants related to existing Block Grants administered by the Department of Health
7 and Human Services from the amounts appropriated in this act, the Department shall allocate the
8 increase proportionally across the program and activity appropriations identified for that Block
9 Grant in this section. In allocating an increase in federal fund availability, the Office of State
10 Budget and Management shall not approve funding for new programs or activities not
11 appropriated in this act.

12 If the Congress of the United States decreases the federal fund availability for any of
13 the Block Grants or contingency funds and other grants related to existing Block Grants
14 administered by the Department of Health and Human Services from the amounts appropriated
15 in this act, the Department shall develop a plan to adjust the Block Grants based on reduced
16 federal funding.

17 Notwithstanding the provisions of this subsection, for fiscal years 2025-2026 and
18 2026-2027, increases in the federal fund availability for the Temporary Assistance to Needy
19 Families (TANF) Block Grant shall be used only for the North Carolina Child Care Subsidy
20 program to pay for child care and shall not be used to supplant State funds.

21 Prior to allocating the change in federal fund availability, the proposed allocation
22 must be approved by the Office of State Budget and Management. If the Department adjusts the
23 allocation of any Block Grant due to changes in federal fund availability, then a report shall be
24 made to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal
25 Research Division.

26 **SECTION 9M.1.(d)** Except as otherwise provided, appropriations from federal
27 Block Grant funds are made for each year of the fiscal biennium ending June 30, 2027, according
28 to the schedule enacted for State fiscal years 2025-2026 and 2026-2027, or until a new schedule
29 is enacted by the General Assembly.

30 **SECTION 9M.1.(e)** Except as otherwise provided in subsection (e1) of this section,
31 all changes to the budgeted allocations to the Block Grants or contingency funds and other grants
32 related to existing Block Grants administered by the Department of Health and Human Services
33 that are not specifically addressed in this section shall be approved by the Office of State Budget
34 and Management. The Office of State Budget and Management shall not approve funding for
35 new programs or activities not appropriated in this section. Additionally, if budgeted allocations
36 are decreased, the Office of State Budget and Management shall not approve any reduction of
37 funds designated for subrecipients in subsection (a) of this section under (i) Item 03 of the
38 Substance Use Prevention, Treatment, and Recovery Services Block Grant or (ii) Item 01 or 02
39 of the Maternal and Child Health Block Grant. The Office of State Budget and Management shall
40 consult with the Joint Legislative Oversight Committee on Health and Human Services for
41 review prior to implementing any changes. In consulting, the report shall include an itemized
42 listing of affected programs, including associated changes in budgeted allocations. All changes
43 to the budgeted allocations to the Block Grants shall be reported immediately to the Joint
44 Legislative Oversight Committee on Health and Human Services and the Fiscal Research
45 Division. This subsection does not apply to Block Grant changes caused by legislative salary
46 increases and benefit adjustments.

47 **SECTION 9M.1.(e1)** The Department of Health and Human Services shall have the
48 authority to realign appropriated funds under subsection (a) of this section for Item 01 or 02
49 in the Maternal and Child Health Block Grant to maintain federal compliance and programmatic
50 alignment, so long as the realignment does not result in a reduction of funds designated for
51 subrecipients under subsection (a) of this section. The Department of Health and Human Services

1 is authorized to realign appropriated funds between the Maternal and Child Health Block Grant
2 categories as provided in this subsection without prior consultation with the Joint Legislative
3 Oversight Committee on Health and Human Services or without exceeding the total amount
4 appropriated for the items.

5 **SECTION 9M.1.(f)** Except as otherwise provided, the Department of Health and
6 Human Services shall have flexibility to transfer funding between the Temporary Assistance for
7 Needy Families (TANF) Block Grant and the TANF Emergency Contingency Funds Block Grant
8 so long as the total allocation for the line items within those Block Grants remains the same.
9

10 **TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FUNDS**

11 **SECTION 9M.1.(g)** The sum of eighty million ninety-three thousand five hundred
12 sixty-six dollars (\$80,093,566) for each year of the 2025-2027 fiscal biennium appropriated in
13 this act in TANF funds to the Department of Health and Human Services, Division of Social
14 Services, shall be used for Work First County Block Grants. The Division shall certify these
15 funds in the appropriate State-level services based on prior year actual expenditures. The Division
16 has the authority to realign the authorized budget for these funds among the State-level services
17 based on current year actual expenditures. The Division shall also have the authority to realign
18 appropriated funds from Work First Family Assistance for electing counties to the Work First
19 County Block Grant for electing counties based on current year expenditures so long as the
20 electing counties meet Maintenance of Effort requirements.

21 **SECTION 9M.1.(h)** The sum of thirteen million two hundred nineteen thousand six
22 hundred nineteen dollars (\$13,219,619) for each year of the 2025-2027 fiscal biennium
23 appropriated in this act to the Department of Health and Human Services, Division of Social
24 Services, in TANF funds for child welfare improvements shall be allocated to the county
25 departments of social services for hiring or contracting staff to investigate and provide services
26 in Child Protective Services cases; to provide foster care and support services; to recruit, train,
27 license, and support prospective foster and adoptive families; and to provide interstate and
28 post-adoption services for eligible families.

29 Counties shall maintain their level of expenditures in local funds for Child Protective
30 Services workers. Of the Block Grant funds appropriated for Child Protective Services workers,
31 the total expenditures from State and local funds for fiscal years 2025-2026 and 2026-2027 shall
32 not be less than the total expended from State and local funds for the 2012-2013 fiscal year.

33 **SECTION 9M.1.(i)** The sum of four million one thousand six hundred seventy-six
34 dollars (\$4,001,676) for each year of the 2025-2027 fiscal biennium appropriated in this act in
35 TANF funds to the Department of Health and Human Services, Special Children Adoption Fund,
36 shall be used in accordance with G.S. 108A-50.2. The Division of Social Services, in consultation
37 with the North Carolina Association of County Directors of Social Services and representatives
38 of licensed private adoption agencies, shall develop guidelines for the awarding of funds to
39 licensed public and private adoption agencies upon the adoption of children described in
40 G.S. 108A-50 and in foster care. Payments received from the Special Children Adoption Fund
41 by participating agencies shall be used exclusively to enhance the adoption services program. No
42 local match shall be required as a condition for receipt of these funds.

43 **SECTION 9M.1.(j)** The sum of one million four hundred thousand dollars
44 (\$1,400,000) appropriated in this act in TANF funds to the Department of Health and Human
45 Services, Division of Social Services, for each fiscal year of the 2025-2027 fiscal biennium shall
46 be used for child welfare initiatives to (i) enhance the skills of social workers to improve the
47 outcomes for families and children involved in child welfare and (ii) enhance the provision of
48 services to families in their homes in the least restrictive setting.

49 **SECTION 9M.1.(k)** Of the three million five hundred thirty-eight thousand five
50 hundred forty-one dollars (\$3,538,541) allocated in this section in TANF funds to the Department
51 of Health and Human Services, Division of Public Health, for each year of the 2025-2027 fiscal

1 biennium for teen pregnancy prevention initiatives, the sum of five hundred thousand dollars
2 (\$500,000) in each year of the 2025-2027 fiscal biennium shall be used to provide services for
3 youth in foster care or the juvenile justice system.
4

5 **SOCIAL SERVICES BLOCK GRANT**

6 **SECTION 9M.1.(l)** The sum of nineteen million eight hundred thirty-seven
7 thousand three hundred eighty-eight dollars (\$19,837,388) for each year of the 2025-2027 fiscal
8 biennium appropriated in this act in the Social Services Block Grant to the Department of Health
9 and Human Services, Division of Social Services, and the sum of thirteen million one hundred
10 sixty-six thousand two hundred forty-four dollars (\$13,166,244) for each year of the 2025-2027
11 fiscal biennium transferred from funds appropriated in the TANF Block Grant shall be used for
12 county Block Grants. The Division shall certify these funds in the appropriate State-level services
13 based on prior year actual expenditures. The Division has the authority to realign the authorized
14 budget for these funds, as well as State Social Services Block Grant funds, among the State-level
15 services based on current year actual expenditures.

16 **SECTION 9M.1.(m)** The sum of two hundred eighty-five thousand six hundred
17 twelve dollars (\$285,612) appropriated in this act in the Social Services Block Grant to the
18 Department of Health and Human Services, Division of Social Services, for each fiscal year of
19 the 2025-2027 fiscal biennium shall be used to support various child welfare training projects as
20 follows:

- 21 (1) Provide a regional training center in southeastern North Carolina.
- 22 (2) Provide training for residential child caring facilities.
- 23 (3) Provide for various other child welfare training initiatives.

24 **SECTION 9M.1.(n)** The Department of Health and Human Services is authorized,
25 subject to the approval of the Office of State Budget and Management, to transfer Social Services
26 Block Grant funding allocated for departmental administration between divisions that have
27 received administrative allocations from the Social Services Block Grant.

28 **SECTION 9M.1.(o)** Social Services Block Grant funds appropriated for the Special
29 Children Adoption Incentive Fund shall require a fifty percent (50%) local match.

30 **SECTION 9M.1.(p)** The sum of five million forty thousand dollars (\$5,040,000)
31 appropriated in this act in the Social Services Block Grant for each fiscal year of the 2025-2027
32 fiscal biennium transferred from funds appropriated in the TANF Block Grant shall be allocated
33 to the Department of Health and Human Services, Division of Social Services. The Division shall
34 allocate these funds to local departments of social services to replace the loss of Child Protective
35 Services State funds that are currently used by county governments to pay for Child Protective
36 Services staff at the local level. These funds shall be used to maintain the number of Child
37 Protective Services workers throughout the State. These Social Services Block Grant funds shall
38 be used to pay for salaries and related expenses only and are exempt from 10A NCAC 71R
39 .0201(3) requiring a local match of twenty-five percent (25%).

40 **SECTION 9M.1.(q)** The sum of one million five hundred eighty-two thousand
41 dollars (\$1,582,000) appropriated in this act in the Social Services Block Grant for each fiscal
42 year of the 2025-2027 fiscal biennium to the Department of Health and Human Services, Division
43 of Social Services, shall be used to continue support for the Child Advocacy Centers. These funds
44 are exempt from the provisions of 10A NCAC 71R .0201(3).

45 **SECTION 9M.1.(r)** The sum of three million eight hundred twenty-five thousand
46 four hundred forty-three dollars (\$3,825,443) for each fiscal year of the 2025-2027 fiscal
47 biennium appropriated in this act in the Social Services Block Grant to the Department of Health
48 and Human Services, Division of Aging, shall be used for guardianship services pursuant to
49 Chapter 35A of the General Statutes. The Department may expend funds allocated in this section
50 to support existing corporate guardianship contracts during the 2025-2026 and 2026-2027 fiscal
51 years.

1 **SECTION 9M.1.(s)** Of the three million eight hundred sixty-four thousand five
2 hundred forty-seven dollars (\$3,864,547) appropriated in this act in the Social Services Block
3 Grant for the 2025-2026 fiscal year and the two million one hundred thirty-eight thousand four
4 hundred four dollars (\$2,138,404) for the 2026-2027 fiscal year to the Division of Aging for
5 Adult Protective Services, the sum of eight hundred ninety-three thousand forty-one dollars
6 (\$893,041) for each year of the 2025-2027 fiscal biennium shall be used to increase the number
7 of Adult Protective Services workers where these funds can be the most effective. These funds
8 shall be used to pay for salaries and related expenses and shall not be used to supplant any other
9 source of funding for staff. These funds are also exempt from 10A NCAC 71R .0201(3) requiring
10 a local match of twenty-five percent (25%).

11 **SECTION 9M.1.(s1)** The following amounts appropriated in this act in the Social
12 Services Block Grant for each fiscal year of the 2025-2027 fiscal biennium to the Department of
13 Health and Human Services, Division of Social Services or Division of Mental Health,
14 Developmental Disabilities, and Substance Use Services, for the nonprofit organizations
15 described in this subsection shall be exempt from the provisions of 10A NCAC 71R .0201(3):

- 16 (1) The sum of three hundred fifty thousand dollars (\$350,000) for each fiscal
17 year of the 2025-2027 fiscal biennium for Big Brothers Big Sisters of the
18 Triangle, Inc.
- 19 (2) The sum of two million five hundred forty-one thousand three hundred
20 ninety-two dollars (\$2,541,392) for each fiscal year of the 2025-2027 fiscal
21 biennium for Autism Society of North Carolina, Inc.
- 22 (3) The sum of two hundred seventy-one thousand seventy-four dollars
23 (\$271,074) for each fiscal year of the 2025-2027 fiscal biennium for The Arc
24 of North Carolina, Inc.
- 25 (4) The sum of one million six hundred twelve thousand fifty-nine dollars
26 (\$1,612,059) for each fiscal year of the 2025-2027 fiscal biennium for
27 Easterseals UCP of North Carolina & Virginia, Inc.

28 29 **LOW-INCOME ENERGY ASSISTANCE BLOCK GRANT**

30 **SECTION 9M.1.(t)** The Division of Social Services shall have the authority to
31 realign appropriated funds between the State-level services Low-Income Energy Assistance
32 Payments and Crisis Assistance Payments without prior consultation with the Joint Legislative
33 Oversight Committee on Health and Human Services to ensure needs are effectively met without
34 exceeding the total amount appropriated for these State-level service items. Additional
35 emergency contingency funds received may be allocated for Energy Assistance Payments or
36 Crisis Intervention Payments without prior consultation with the Joint Legislative Oversight
37 Committee on Health and Human Services. Additional funds received shall be reported to the
38 Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research
39 Division upon notification of the award. The Department of Health and Human Services shall
40 not allocate funds for any activities, including increasing administration, other than assistance
41 payments, without prior consultation with the Joint Legislative Oversight Committee on Health
42 and Human Services.

43 **SECTION 9M.1.(u)** The sum of fifty-six million three hundred sixty-nine thousand
44 two hundred eighty-one dollars (\$56,369,281) for each year of the 2025-2027 fiscal biennium
45 appropriated in this act in the Low-Income Energy Assistance Block Grant to the Department of
46 Health and Human Services, Division of Social Services, shall be used for Energy Assistance
47 Payments for the households of (i) elderly persons age 60 and above with income up to one
48 hundred fifty percent (150%) of the federal poverty level and (ii) disabled persons eligible for
49 services funded through the Division of Aging.

1 County departments of social services shall submit to the Division of Social Services
2 an outreach plan for targeting households with 60-year-old household members no later than
3 August 1 of each year. The outreach plan shall comply with the following:

- 4 (1) Ensure that eligible households are made aware of the available assistance,
5 with particular attention paid to the elderly population age 60 and above and
6 disabled persons receiving services through the Division of Aging.
- 7 (2) Include efforts by the county department of social services to contact other
8 State and local governmental entities and community-based organizations to
9 (i) offer the opportunity to provide outreach and (ii) receive applications for
10 energy assistance.
- 11 (3) Be approved by the local board of social services or human services board
12 prior to submission.

13 14 **CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT**

15 **SECTION 9M.1.(v)** Payment for subsidized child care services provided with
16 federal TANF funds shall comply with all regulations and policies issued by the Division of Child
17 Development and Early Education for the subsidized child care program.

18 **SECTION 9M.1.(w)** If funds appropriated through the Child Care and Development
19 Fund Block Grant for any program cannot be obligated or spent in that program within the
20 obligation or liquidation periods allowed by the federal grants, the Department may move funds
21 to child care subsidies, unless otherwise prohibited by federal requirements of the grant, in order
22 to use the federal funds fully.

23 24 **COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT**

25 **SECTION 9M.1.(x)** The sum of four million two hundred eight thousand three
26 hundred seventy-eight dollars (\$4,208,378) for each year of the 2025-2027 fiscal biennium
27 appropriated in this act in the Community Mental Health Services Block Grant to the Department
28 of Health and Human Services, Division of Mental Health, Developmental Disabilities, and
29 Substance Use Services, is to be used for Mental Health Services – First Psychotic Symptom
30 Treatment.

31 32 **MATERNAL AND CHILD HEALTH BLOCK GRANT**

33 **SECTION 9M.1.(y)** If federal funds are received under the Maternal and Child
34 Health Block Grant for abstinence education, pursuant to section 912 of Public Law 104-193 (42
35 U.S.C. § 710), for the 2025-2026 fiscal year or the 2026-2027 fiscal year, then those funds shall
36 be transferred to the State Board of Education to be administered by the Department of Public
37 Instruction. The Department of Public Instruction shall use the funds to establish an abstinence
38 until marriage education program consistent with G.S. 115C-81.30. The Department of Public
39 Instruction shall carefully and strictly follow federal guidelines in implementing and
40 administering the abstinence education grant funds.

41 **SECTION 9M.1.(z)** The sum of one million seven hundred twenty-seven thousand
42 three hundred seven dollars (\$1,727,307) appropriated in this act in the Maternal and Child
43 Health Block Grant to the Department of Health and Human Services, Division of Public Health,
44 for each year of the 2025-2027 fiscal biennium shall be used for evidence-based programs in
45 counties with the highest infant mortality rates. The Division shall report on (i) the counties
46 selected to receive the allocation, (ii) the specific evidence-based services provided, (iii) the
47 number of women served, and (iv) any impact on the counties' infant mortality rate. The Division
48 shall report its findings to the House of Representatives Appropriations Committee on Health
49 and Human Services, the Senate Appropriations Committee on Health and Human Services, and
50 the Fiscal Research Division no later than December 31 of each year.

1 **SECTION 9M.1.(aa)** The sum of eighty-one thousand one hundred twelve dollars
2 (\$81,112) allocated in this section in the Maternal and Child Health Block Grant to the
3 Department of Health and Human Services, Division of Public Health, Women and Children's
4 Health Section, for each fiscal year of the 2025-2027 fiscal biennium shall not be used to supplant
5 existing State or federal funds. This allocation shall be used for a Public Health Program
6 Consultant position assigned full-time to manage the North Carolina Perinatal Health Strategic
7 Plan and provide staff support for the stakeholder work group.

8 **SECTION 9M.1.(bb)** At least ninety percent (90%) of the funds allocated for
9 Mountain Area Pregnancy Services, a nonprofit organization, in the Maternal and Child Health
10 Block Grant for each year of the 2025-2027 fiscal biennium shall be used for direct services.

11 **SECTION 9M.1.(cc)** Notwithstanding any provision of law to the contrary, the
12 Department of Health and Human Services, Division of Public Health, shall have the authority
13 to realign appropriated funds between the Maternal and Child Health Block Grant categories to
14 maintain federal compliance and programmatic alignment without exceeding the total amount
15 appropriated for the Maternal and Child Health Block Grant.

16
17 **USE OF CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS/FAMILY**
18 **CHILD CARE HOME DIRECT SUPPORT PILOT**

19 **SECTION 9M.2.(a)** Of the funds appropriated in this act from the federal Child Care
20 and Development Block Grant under Section 9M.1 of this act to the Department of Health and
21 Human Services, Division of Child Development and Early Education, for quality and
22 availability initiatives, the sum of three million dollars (\$3,000,000) for each year of the
23 2025-2027 fiscal biennium shall be allocated in equal amounts to the councils of governments in
24 Alamance, Harnett, and Johnston Counties to establish a two-year pilot program coordinated by
25 those councils of governments to build child care capacity in those counties. Each designated
26 council of governments shall issue a request for application (RFA) for a vendor to contract with
27 the respective council of governments to administer the pilot program, and each vendor selected
28 shall have experience providing support and assistance to early child care providers. To receive
29 funds, the vendor shall partner with the councils of governments in the respective county to (i)
30 increase the supply of child care programs by recruiting and coaching prospective child care
31 providers through the initial business planning and implementation process and (ii) ensure
32 sustainability by executing a two-year mentorship program for the new child care programs
33 created pursuant to this section.

34 **SECTION 9M.2.(b)** The councils of governments participating in the pilot program
35 may use (i) a portion of these funds for additional solutions provided by the vendor within the
36 early childhood education space to meet localized needs and in support of recovery,
37 rehabilitation, and ongoing needs of their member communities and (ii) up to five percent (5%)
38 of the funds allocated to the respective councils of governments under this act for administrative
39 costs.

40 **SECTION 9M.2.(c)** The councils of governments participating in the pilot program
41 shall select a vendor that has all of the following qualifications:

- 42 (1) Experience and active or successful contracts to establish new family child
43 care homes in at least three other states.
- 44 (2) Technology to operate a substitute teacher pool that matches teachers with
45 providers and facilitates payments and quality control, and experience in
46 creating an active substitute teacher pool in one state.
- 47 (3) Experience successfully establishing family child care homes in rural
48 communities and addressing child care access in underserved areas.
- 49 (4) Technology that (i) allows for the recruitment of child care providers via
50 microsites, (ii) allows the onboarding of child care providers via a licensing
51 checklist, (iii) allows coaches to interface with and communicate with child

1 care providers, (iv) supports child care providers with enrollments via a
2 website and enrollment marketplace, (v) supports the recruitment of teachers
3 for the programs, (vi) provides billing for the programs, (vii) provides ongoing
4 business coaching, and (viii) allows all such technology to be connected and
5 communicate seamlessly.

- 6 (5) Demonstrated successful experience establishing new family child care homes
7 at scale on time lines of six months or less.

8 **SECTION 9M.2.(d)** Each vendor selected to participate in the pilot program shall
9 do each of the following:

- 10 (1) Perform a child care needs analysis to determine where child care providers
11 and substitute teachers are needed.
12 (2) Recruit new potential child care providers and substitutes and plan, staff, and
13 execute in-person and virtual recruitment events for new child care providers
14 in areas of need.
15 (3) Implement technology that meets the requirements of subdivision (c)(4) of
16 this section.
17 (4) Implement technology to operate a substitute teacher pool that matches
18 teachers with providers and facilitates payments and quality control.
19 (5) Develop informational materials that assist in-home family child care
20 providers with marketing, advertising, and parental outreach.
21 (6) Create child care slots and implement a substitute teacher pool available to
22 child care providers in the councils of governments' respective counties.
23 (7) Craft an implementation strategy to meet community and workforce needs,
24 including establishing child care for nontraditional hours and days, as needed.
25 (8) Provide a dashboard that allows for government leaders to track vendor
26 progress and get feedback from child care providers along with real-time
27 reporting.
28 (9) Provide support and resources and offer in-home family child care providers
29 coaching and training that includes in-person group training sessions, on-site
30 coaching visits, community forums, and events for a minimum of two years.
31 (10) Report all necessary information as required by this section.

32 **SECTION 9M.2.(e)** The councils of governments participating in the pilot program
33 shall submit an initial progress report by March 1, 2026, and additional progress reports every
34 six months thereafter for the duration of the pilot program to the Joint Legislative Oversight
35 Committee on Health and Human Services, the Fiscal Research Division, and the Division of
36 Child Development and Early Education. The reports shall include, at a minimum, the following:

- 37 (1) The number of child care programs created through the pilot program, by
38 county.
39 (2) The number of child care programs created that are child care centers and the
40 number that are family child care homes.
41 (3) The number of new child care slots created by the pilot program.
42 (4) The costs associated with creating the child care programs, including any
43 administrative costs.
44

45 **PART X. AGRICULTURE AND CONSUMER SERVICES**

46 **ADDITIONAL 2024 AGRICULTURAL DISASTER CROP LOSS PROGRAM FUNDING**

47 **SECTION 10.1.(a)** Of the funds appropriated from the Stabilization and Inflation
48 Reserve in this act, the nonrecurring sum of two hundred fifty million dollars (\$250,000,000) for
49 the 2025-2026 fiscal year shall be allocated to the Department of Agriculture and Consumer
50 Services (Department) for the Agricultural Disaster Crop Loss Program (Program), established
51

1 in Section 2D.2(a) of S.L. 2025-2, for verifiable losses from an agricultural disaster in 2024,
2 excluding Hurricane Helene.

3 **SECTION 10.1.(b)** Funds allocated to the Program under this section shall be subject
4 to all requirements of Section 2D.2 of S.L. 2025-2. The Department shall include these funds in
5 the reporting requirements set forth in Section 2D.2(i) of S.L. 2025-2. Section 2D.2(h) of S.L.
6 2025-2 does not apply to these funds.

7 **SECTION 10.1.(c)** Funds allocated to the Program under this section that are not
8 expended or encumbered on the date the Program expires shall revert to the General Fund.

9
10 **CONTINUATION OF AGRICULTURE MANUFACTURING AND PROCESSING**
11 **INITIATIVE**

12 **SECTION 10.2.(a)** Findings and Purpose. – The General Assembly finds that the
13 lack of capacity for value-added processing of agricultural commodities near the farms where
14 those commodities are produced in the State creates competitive disadvantages to North Carolina
15 farmers by imposing increased transportation costs to remote commodity processing facilities
16 and presenting economic barriers to farmers who wish to participate in the market for higher
17 profit margin processed food products. The General Assembly further finds that grants to increase
18 agricultural processing opportunities in the State will create jobs and increase local property tax
19 bases in this State, will benefit agricultural and farming operations in the State with decreased
20 costs and increased profit options, and are consistent with promoting agricultural operations, a
21 vital sector of the State's economy. The purpose of this section is to fund and promote the
22 establishment of value-adding agricultural manufacturing and food processing facilities across
23 the State to fill existing gaps in the processing of agricultural products and to create a diverse and
24 economically competitive array of high value-added goods and products manufactured in this
25 State from agricultural products grown or produced in this State.

26 **SECTION 10.2.(b)** Funding. – Funds appropriated in this act to the Department of
27 Agriculture and Consumer Services (Department) for the North Carolina Agricultural
28 Manufacturing and Processing Initiative (NCAMPI) shall be used to provide grants to agriculture
29 manufacturing facilities for site development, infrastructure (including water, wastewater, or
30 transportation improvements), building construction or rehabilitation costs, or equipment. As a
31 part of the application, applicants must demonstrate in a manner determined by the Department
32 that they have applied for or otherwise sought other sources of applicable funding for the
33 proposed project. New facilities and expansions of existing facilities will be eligible for grants
34 under this subdivision. Shared-use facilities and incubators are ineligible for grants under this
35 subdivision. Before entering into a grant agreement, the Department must find that the total
36 benefits of the project to the State outweigh its anticipated costs and render the grant appropriate
37 for the project.

38 **SECTION 10.2.(c)** Administration of Initiative. – In consultation with the nonprofit
39 corporation with which the Department of Commerce contracts pursuant to G.S. 143B-431.01(b),
40 the Department shall develop guidelines related to the administration of NCAMPI. The
41 guidelines shall require a finding that a grant under this section is necessary for the construction
42 or expansion of a facility to be used by a business entity (as that term is defined in G.S. 55-1-40)
43 that will engage in agricultural manufacturing or processing activities in this State. At least 20
44 days before the effective date of any guidelines or nontechnical amendments to the guidelines,
45 the Department shall publish the proposed guidelines on its website and provide notice to persons
46 who have requested notice of proposed guidelines. In addition, the Department shall accept oral
47 and written comments on the proposed guidelines and shall, in its discretion, consider those
48 comments before finalizing the guidelines. Guidelines adopted under this section shall not be
49 subject to the requirements of Article 2A of Chapter 150B of the General Statutes and shall
50 include all of the following:

- (1) Criteria for evaluating grant applicants, including job creation, concentration of production of the agricultural product the facility will process in proximity to the proposed location, and reductions in (i) transportation costs and (ii) estimated damage rates for agricultural products created as a result of greater geographical proximity to the proposed manufacturing or processing facility.
- (2) Criteria for determining grant eligibility, the amounts of awards, not to exceed five million dollars (\$5,000,000) per facility, and the required cost-share for grant recipients. The Department may consider the economic development tier of the county of a grant recipient under G.S. 143B-437.08 in setting cost-share amounts.

SECTION 10.2.(d) Report. – Until all funds allocated by this section have been expended, the Department shall annually report no later than October 1 on NCAMPI activities during the prior fiscal year to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division. The report shall include, at a minimum, all of the following:

- (1) Total amount of grants awarded.
- (2) A list of award recipients and the amount awarded to each recipient.
- (3) Matching funds required and provided by grant recipients.
- (4) Activities to ready sites and associated costs.
- (5) Any major employers located at an improved or acquired site.
- (6) Any unallocated amount for grants remaining in the NCAMPI Fund.
- (7) Assessment of additional remaining needs for agricultural manufacturing and processing facilities in the State.

SECTION 10.2.(e) Availability of Funds and Administrative Expenses. – Notwithstanding any provision of G.S. 143C-1-2(b) to the contrary, these funds shall not revert at the end of the fiscal year in which they are appropriated but shall remain available for the purposes set forth in this section. The Department may use up to three percent (3%) of the funds allocated by this section for administrative costs.

PART XI. COMMERCE

COMMUNITY DEVELOPMENT BLOCK GRANTS

SECTION 11.1.(a) Allocations. – Of the funds appropriated in this act for federal block grant funds, the following allocations are made for the fiscal years ending June 30, 2026, and June 30, 2027, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT

| | | | |
|----|--------------------------------|--|-------------|
| 39 | 1. State Administration | | \$1,559,093 |
| 40 | | | |
| 41 | 2. Neighborhood Revitalization | | 7,516,037 |
| 42 | | | |
| 43 | 3. Economic Development | | 13,472,376 |
| 44 | | | |
| 45 | 4. Infrastructure | | 18,980,379 |
| 46 | | | |
| 47 | 5. Rural Community Development | | 4,745,094 |
| 48 | | | |

| | | |
|----|--|----------------------|
| 49 | TOTAL COMMUNITY DEVELOPMENT | |
| 50 | BLOCK GRANT – 2026 Program Year | \$46,272,979 |
| 51 | 2027 Program Year | \$46,272,979. |

1
2 **SECTION 11.1.(b)** Availability Reduction. – If federal funds are reduced below the
3 amounts specified in this section after the effective date of this act, then every program in each
4 of these federal block grants shall be reduced by the same percentage as the reduction in federal
5 funds.

6 **SECTION 11.1.(c)** Availability Increase. – Any block grant funds appropriated by
7 the Congress of the United States in addition to the funds specified in this section shall be
8 expended as follows: each program category under the Community Development Block Grant
9 shall be increased by the same percentage as the increase in federal funds.

10 **SECTION 11.1.(d)** Reallocation. – The Department of Commerce shall consult with
11 the Joint Legislative Commission on Governmental Operations prior to reallocating Community
12 Development Block Grant Funds. Notwithstanding the provisions of this subsection, whenever
13 the Director of the Budget finds either of the following conditions exists:

- 14 (1) If a reallocation is required because of an emergency that poses an imminent
15 threat to public health or public safety, then the Director of the Budget may
16 authorize the reallocation without consulting the Commission. The
17 Department of Commerce shall report to the Commission on the reallocation
18 no later than 30 days after it was authorized and shall identify in the report the
19 emergency, the type of action taken, and how it was related to the emergency.
- 20 (2) If the State will lose federal block grant funds or receive less federal block
21 grant funds in the next fiscal year unless a reallocation is made, then the
22 Department of Commerce shall provide a written report to the Commission
23 on the proposed reallocation and shall identify the reason that failure to take
24 action will result in the loss of federal funds. If the Commission does not hear
25 the issue within 30 days of receipt of the report, the Department may take the
26 action without consulting the Commission.

27 **SECTION 11.1.(e)** Report. – By October 1, 2025, and September 1, 2026, the
28 Department of Commerce shall report to the chairs of the House of Representatives
29 Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of
30 the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; the
31 chairs of the Joint Legislative Economic Development and Global Engagement Oversight
32 Committee; and the Fiscal Research Division on the use of Community Development Block
33 Grant Funds appropriated in the prior fiscal year. The report shall include the following:

- 34 (1) A discussion of each of the categories of funding, including information on
35 the statewide need in each category.
- 36 (2) Information on the number of applications that were received in each category
37 and the total dollar amount requested in each category.
- 38 (3) A list of grantees, including the grantee's name, county, category under which
39 the grant was funded, the amount awarded, and a narrative description of the
40 project.

41 **SECTION 11.1.(f)** Neighborhood Revitalization. – Funds allocated to the
42 Neighborhood Revitalization Category in subsection (a) of this section shall be made available
43 as grants for eligible activities listed in this subsection. The funds available for grants under this
44 category may be used for all of the following, subject to the national objectives and eligible
45 activities allowed under guidance issued by the United States Department of Housing and Urban
46 Development (HUD):

- 47 (1) Essential repairs to prevent abandonment and deterioration of housing in
48 low- and moderate-income neighborhoods.
- 49 (2) Demolition and rehabilitation of buildings and improvements.
- 50 (3) Public improvements, including parks, streets, sidewalks, and water and sewer
51 lines.

1 **SECTION 11.1.(g)** Economic Development. – Funds allocated to the Economic
2 Development Category in subsection (a) of this section shall be made available as grants for
3 eligible activities listed in this subsection. The funds available for grants under this category may
4 be used for all of the following, subject to the national objectives and eligible activities allowed
5 under guidance issued by HUD:

- 6 (1) Acquisition of real property.
- 7 (2) Demolition and rehabilitation of buildings and improvements.
- 8 (3) Removal of material and architectural barriers.
- 9 (4) Public improvements, including parks, streets, sidewalks, and water and sewer
10 lines.
- 11 (5) Loans and grants to public or private nonprofit entities for construction and
12 rehabilitation activities.
- 13 (6) Assistance to private, for-profit entities for economic development.
- 14 (7) Technical assistance to public or nonprofit entities for neighborhood
15 revitalization or economic development activities.
- 16 (8) Assistance to for-profit and nonprofit entities to facilitate economic
17 development activities.

18 **SECTION 11.1.(h)** Infrastructure. – For purposes of this section, eligible activities
19 under the Infrastructure Category in subsection (a) of this section shall be defined as provided in
20 the HUD State Administered Community Development Block Grant definition of the term
21 "infrastructure." Notwithstanding the provisions of subsection (d) of this section, funds allocated
22 to the Infrastructure Category in subsection (a) of this section shall not be reallocated to any other
23 category.

24 **SECTION 11.1.(i)** Rural Community Development. – Funds allocated for the Rural
25 Community Development Category in subsection (a) of this section shall be made available as
26 grants for eligible activities listed in this subsection. These funds shall provide grants that support
27 community development and comprehensive growth projects to be awarded by the Department
28 of Commerce. The Rural Community Development Category will provide grants to units of local
29 government in development tier one and development tier two areas, as defined in
30 G.S. 143B-437.08, and in rural census tracts, as defined in G.S. 143B-472.127(a)(2), in any other
31 area to support projects that promote broad-based community development activities, increased
32 local investment and economic growth, and stronger and more viable rural neighborhoods. In
33 awarding grants under this section, preference shall be given to projects in development tier one
34 areas, as defined in G.S. 143B-437.08. The funds available for grants under this category may be
35 used for all of the following, subject to the national objectives and eligible activities allowed
36 under guidance issued by HUD:

- 37 (1) Essential repairs to prevent abandonment and deterioration of housing in
38 low- and moderate-income neighborhoods.
- 39 (2) Public improvements, including parks, streets, sidewalks, and water and sewer
40 lines.
- 41 (3) Public facilities, including neighborhood and community facilities and
42 facilities for individuals with special needs.
- 43 (4) Public services, including employment, crime prevention, and energy
44 conservation.
- 45 (5) Assistance to private, for-profit entities for economic development.
- 46 (6) Technical assistance to public or nonprofit entities for neighborhood
47 revitalization or economic development activities.
- 48 (7) Assistance to for-profit and nonprofit entities to facilitate economic
49 development activities.

50 **SECTION 11.1.(j)** Deobligated Funds. – Throughout each year, deobligated funds
51 arise in the various funding categories and program years of the Community Development Block

1 Grant (CDBG) program as a result of (i) projects coming in under budget, (ii) projects being
2 canceled, or (iii) projects being required to repay funds. Surplus federal administrative funds in
3 the CDBG program may vary from year to year based upon the amount of State-appropriated
4 funds allocated and the amount of eligible in-kind funds identified. To allow the Department of
5 Commerce and the Department of Environmental Quality to quickly deploy deobligated and
6 surplus federal administrative funds as they are identified throughout the program year, the
7 following shall apply to the use of deobligated CDBG funds and surplus federal administrative
8 funds:

- 9 (1) All surplus federal administrative funds shall be divided proportionally
10 between the Departments of Commerce and Environmental Quality and shall
11 be used as provided in subdivisions (2) and (3) of this subsection.
- 12 (2) All deobligated funds allocated to the Department of Commerce and any
13 surplus federal administrative funds, as provided for in subdivision (1) of this
14 subsection, may be used by the Department for all of the following:
 - 15 a. To issue grants in the CDBG Economic Development or
16 Neighborhood Revitalization Program Category.
 - 17 b. For providing training and guidance to local governments relative to
18 the CDBG program, its management, and administrative requirements.
 - 19 c. For any other purpose consistent with the Department's administration
20 of the CDBG program if an equal amount of State matching funds is
21 available.
- 22 (3) All deobligated funds allocated to the Department of Environmental Quality
23 and any surplus federal administrative funds, as provided for in subdivision
24 (1) of this subsection, may be used by the Department for all of the following:
 - 25 a. To issue grants in the CDBG Infrastructure Category.
 - 26 b. For any other purpose consistent with the Department's administration
27 of the CDBG program if an equal amount of State matching funds is
28 available.

30 **COMMERCE NONPROFITS/REPORTING REQUIREMENTS**

31 **SECTION 11.2.(a)** The entities listed in subsection (b) of this section shall do the
32 following for each year that State funds are expended:

- 33 (1) By September 1 of each year, and more frequently as requested, report to the
34 chairs of the Joint Legislative Oversight Committee on Agriculture and
35 Natural and Economic Resources; the chairs of the House of Representatives
36 Appropriations Committee on Agriculture and Natural and Economic
37 Resources; the chairs of the Senate Appropriations Committee on Agriculture,
38 Natural, and Economic Resources; and the Fiscal Research Division on prior
39 State fiscal year program activities, objectives, and accomplishments and prior
40 State fiscal year itemized expenditures and fund sources. If State funds are
41 used to provide matching funds for competitive grants from the federal
42 government or a nongovernmental entity, the report should include a list and
43 description of the grants that are awarded.
- 44 (2) Provide to the chairs of the Joint Legislative Oversight Committee on
45 Agriculture and Natural and Economic Resources; the chairs of the House of
46 Representatives Appropriations Committee on Agriculture and Natural and
47 Economic Resources; the chairs of the Senate Appropriations Committee on
48 Agriculture, Natural, and Economic Resources; and the Fiscal Research
49 Division a copy of the entity's annual audited financial statement within 30
50 days of issuance of the statement.

1 **SECTION 11.2.(b)** The following entities shall comply with the requirements of
2 subsection (a) of this section:

- 3 (1) North Carolina Biotechnology Center.
- 4 (2) High Point Market Authority.
- 5 (3) RTI International.

6 7 **NC BIOTECHNOLOGY CENTER**

8 **SECTION 11.3.(a)** Except for the funds appropriated in subsection (b) of this
9 section, funds appropriated in this act to the Department of Commerce for the North Carolina
10 Biotechnology Center (Center) for each fiscal year in the 2025-2027 biennium shall be allocated
11 for the following purposes in the following proportions:

- 12 (1) Twenty-one percent (21%) for job creation, including funding for the
13 AgBiotech Initiative, economic and industrial development, and related
14 activities.
- 15 (2) Sixty-five percent (65%) for science and commercialization, including
16 science and technology development, Centers of Innovation, business and
17 technology development, education and training, and related activities.
- 18 (3) Fourteen percent (14%) for Center operations, including administration,
19 professional and technical assistance and oversight, corporate
20 communications, human resource management, financial and grant
21 administration, legal, and accounting.

22 **SECTION 11.3.(b)** Of the funds appropriated in this act to the Department of
23 Commerce for the Center, one million dollars (\$1,000,000) of recurring funds in each fiscal year
24 of the biennium shall be used to support funding for early stage loans to North Carolina
25 agricultural technology companies.

26 **SECTION 11.3.(c)** The Center shall not use any of the recurring funds allocated in
27 subsection (b) of this section for administrative costs and shall report on the expenditure of those
28 funds each year pursuant to Section 11.2 of this act.

29 **SECTION 11.3.(d)** The Center shall prioritize funding and distribution of loans over
30 funding and distribution of grants.

31 **SECTION 11.3.(e)** Up to ten percent (10%) of the sum of each of the allocations in
32 subsection (a) of this section may be reallocated to subdivision (a)(1) or subdivision (a)(2) of this
33 section if, in the judgment of Center management, the reallocation will advance the mission of
34 the Center.

35 36 **MICRO-BUDGET PRODUCTIONS ACCOUNT AND FILM GRANT CHANGES**

37 **SECTION 11.3A.(a)** G.S. 143B-437.02A reads as rewritten:

38 **"§ 143B-437.02A. The Film and Entertainment Grant Fund.**

39 (a) Creation and Purpose of Fund. – There is created in the Department of Commerce a
40 special, nonreverting account to be known as the Film and Entertainment Grant Fund to provide
41 funds to encourage the production of motion pictures, television shows, movies for television,
42 productions intended for on-line distribution, and commercials and to develop the filmmaking
43 industry within the State. The Department of Commerce shall adopt guidelines providing for the
44 administration of the program. Those guidelines may provide for the Secretary to award the grant
45 proceeds over a period of time, not to exceed three years. Those guidelines shall include the
46 following provisions, which shall apply to each grant from the account:

- 47 (1) The funds are reserved for a production on which the production company has
48 qualifying expenses of at least the following:

49 ...

1 (7) Qualifying expenses. – The sum of the amounts listed in this subdivision,
2 substantiated pursuant to subsection (d) of this section, and spent in this State
3 by a production company in connection with a production, less the amount
4 paid in excess of ~~one million dollars (\$1,000,000)~~ four million dollars
5 (\$4,000,000) to a highly compensated individual:

6 a. Goods and services leased or purchased. For goods with a purchase
7 price of twenty-five thousand dollars (\$25,000) or more, the amount
8 included in qualifying expenses is the purchase price less the fair
9 market value of the good at the time the production is completed.
10 Goods and services includes the costs of tangible and intangible
11 property used for, and services performed primarily and customarily
12 in, production, including preproduction and postproduction and other
13 direct costs of producing the project in accordance with generally
14 accepted entertainment industry practices. Goods and services exclude
15 ~~costs~~ the following:

- 16 1. Costs for development, marketing, and ~~distribution;~~ costs
17 distribution.
- 18 2. Costs of financing for the production, of bonding related to the
19 production, of production-related insurance coverage obtained
20 on the ~~production;~~ and ~~expenses~~ production.
- 21 3. Expenses for insurance coverage purchased from a related
22 member.
- 23 4. For game shows and productions that document purportedly
24 unscripted real life situations primarily using unfamiliar people
25 in lieu of professional actors, (i) costs for and value of prizes
26 awarded and (ii) the fair market value of any item in the show
27 intentionally or negligently used or destroyed for
28 entertainment purposes immediately prior to its destruction or
29 use.

30 ...

31 (h) Micro-Budget Productions Account. – There is created in the Film and Entertainment
32 Grant Fund a special, nonreverting account to be known as the Micro-Budget Productions
33 Account to provide funds to encourage smaller productions to develop the filmmaking industry
34 within the State. The Department of Commerce shall adopt guidelines providing for the
35 administration of the program. Those guidelines shall apply to each grant from the account and
36 shall adhere to the provisions in this section, with the following modifications:

37 (1) The funds are reserved for a production on which the production company has
38 qualifying expenses of at least fifty thousand dollars (\$50,000) in the State but
39 not more than one million four hundred ninety-nine thousand dollars
40 (\$1,499,000) for the production.

41 (2) The funds are not used to provide a grant in excess of (i) a base amount equal
42 to the lesser of twenty percent (20%) of the qualifying expenses for the
43 production or one hundred thousand dollars (\$100,000) plus (ii) any of the
44 following:

45 a. A bonus amount equal to five percent (5%) of the base amount if the
46 production company provides qualified accounting showing at least
47 seventy-five percent (75%) of the compensation and wages paid for
48 the production was paid to North Carolina residents. For purposes of
49 this sub-subdivision, "qualified accounting" by the production
50 company includes both (i) withholding payments remitted to the
51 Department of Revenue under Article 4A of Chapter 105 of the

1 General Statutes and (ii) payments for compensation to independent
 2 contractors reported using a Form 1099. In calculating whether the
 3 required percentage has been met, the following shall be included in
 4 compensation and wages: employee fringe contributions, including
 5 health, pension, and welfare contributions; per diems, stipends, and
 6 living allowances paid for work being performed in this State; and
 7 payments made to a loan out company for services provided in the
 8 State.

9 b. A bonus amount equal to (i) three percent (3%) if at least seventy-five
 10 percent (75%) of the filming occurred in development tier two and one
 11 areas or (ii) five percent (5%) if at least seventy-five percent (75%) of
 12 the filming occurred in a development tier one area. For purposes of
 13 this sub-subdivision, a "development tier area" is as defined in
 14 G.S. 143B-437.08.

15 (3) The funds are reserved for a production for which at least seventy-five percent
 16 (75%) of the filming occurred in the State by or with a production company
 17 with company headquarters, as defined in G.S. 143B-437.01, in this State.

18 (4) The funds are not contingent on the existence, proof, or guarantee of a
 19 distribution agreement.

20 (5) A production is not limited to feature-length films, television series, or
 21 commercials but can consist of short films, documentaries, or other similar
 22 audiovisual works intended for distribution that meet the requirements of this
 23 subsection.

24 (6) No grant may be awarded that, when considered together with other grants
 25 awarded during a single calendar year, could cause the State's potential total
 26 annual liability for grants awarded in a single calendar year to exceed the
 27 amount available in the Account."

28 **SECTION 11.3A.(b)** Of the funds appropriated to the Department of Commerce in
 29 this act, the Department shall allocate the sum of one million five hundred thousand dollars
 30 (\$1,500,000) in nonrecurring funds for each fiscal year of the 2025-2027 fiscal biennium to the
 31 Micro-Budget Productions Account established in subsection (a) of this section for purposes
 32 consistent with that Account.

33 **SECTION 11.3A.(c)** This section becomes effective July 1, 2025, and applies to
 34 grants made on or after that date.

35 **TRANSFORMATIVE PROJECT BASE PERIOD FLEXIBILITY**

36 **SECTION 11.4.(a)** Notwithstanding G.S. 143B-437.56, G.S. 143B-437.59, or any
 37 other provision of law, a qualifying business may request the resetting of, and the Committee
 38 may agree to reset, the base period applicable to the transformative project. For purposes of this
 39 section, the definitions in G.S. 143B-437.51 apply, and a qualifying business is a business that
 40 (i) has entered into an agreement for a transformative project, (ii) is not more than 48 months
 41 into the base period, (iii) is not currently in default, and (iv) has not received any grant payments.

42 **SECTION 11.4.(b)** This section is effective when it becomes law and expires June
 43 30, 2026.

44 **INCREASE ONE NC COMMITMENT AUTHORITY**

45 **SECTION 11.5.(a)** G.S. 143B-437.71(b1) reads as rewritten:

46 "(b1) Awards. – The amounts committed in Governor's Letters issued in a single fiscal year
 47 may not exceed ~~seventeen million dollars (\$17,000,000).~~ twenty million dollars (\$20,000,000).
 48 Of the amount authorized in this subsection, three million dollars (\$3,000,000) is reserved for
 49 agreements with local governments located in development tier three areas, as defined in
 50
 51

1 G.S. 143B-437.08, with total employment of 115,000 or less, using the data specified in
2 G.S. 143B-437.52(c)(3)."

3 **SECTION 11.5.(b)** This section becomes effective July 1, 2025.
4

5 **INCREASE UI MAX BENEFIT**

6 **SECTION 11.6.(a)** To maintain the rule of law with respect to State and federal
7 relations pertaining to employment security laws in North Carolina, any executive order issued
8 by the Governor that purports to expand unemployment insurance benefits, whether those
9 benefits will be paid from federal or State funds, is void ab initio unless the executive order is
10 issued upon authority that is conferred expressly by an act enacted by the General Assembly or
11 granted specifically to the Governor by the Congress of the United States.

12 **SECTION 11.6.(b)** Sections 1, 2, 3, and 4 of Executive Order No. 322, issued by
13 the Governor on October 16, 2024, and concurred to by the Council of State, are ratified and
14 shall terminate on March 1, 2025.

15 **SECTION 11.6.(c)** G.S. 96-14.2(a) reads as rewritten:

16 "(a) Weekly Benefit Amount. – The weekly benefit amount for an individual who is totally
17 unemployed is an amount equal to the wages paid to the individual in the last two completed
18 quarters of the individual's base period divided by 52 and rounded to the next lower whole dollar.
19 If this amount is less than fifteen dollars (\$15.00), the individual is not eligible for benefits. The
20 weekly benefit amount may not exceed ~~three hundred fifty dollars (\$350.00)~~ four hundred dollars
21 (\$400.00)."

22 **SECTION 11.6.(d)** Subsection (c) of this section becomes effective July 6, 2025,
23 and applies to claims for benefits filed on or after July 6, 2025. The remainder of this section is
24 effective when it becomes law.
25

26 **ENERGY SECURITY AND AFFORDABILITY**

27 **SECTION 11.7.(a)** G.S. 62-110.9 reads as rewritten:

28 "**§ 62-110.9. Requirements concerning reductions in emissions of carbon dioxide from**
29 **electric public utilities.**

30 The Utilities Commission shall take all reasonable steps to achieve ~~a seventy percent (70%)~~
31 reduction in emissions of carbon dioxide (CO₂) emitted in the State from electric generating
32 facilities owned or operated by electric public utilities ~~from 2005 levels by the year 2030 and that~~
33 result in carbon neutrality by the year 2050. For purposes of this section, (i) "electric public
34 utility" means any electric public utility as defined in G.S. 62-3(23) serving at least 150,000
35 North Carolina retail jurisdictional customers as of January 1, 2021, and (ii) "carbon neutrality"
36 means for every ton of CO₂ emitted in the State from electric generating facilities owned or
37 operated by or on behalf of electric public utilities, an equivalent amount of CO₂ is reduced,
38 removed, prevented, or offset, provided that the offsets are verifiable and do not exceed five
39 percent (5%) of the authorized reduction goal. In achieving the authorized carbon reduction
40 ~~goals, goal,~~ the Utilities Commission shall:

- 41 (1) Develop a plan, no later than December 31, ~~2022, 2026,~~ with the electric
42 public utilities, including stakeholder input, for the utilities to achieve the
43 authorized reduction ~~goals, goal of carbon neutrality by the year 2050,~~ which
44 may, at a minimum, consider power generation, transmission and distribution,
45 grid modernization, storage, energy efficiency measures, demand-side
46 management, and the latest technological breakthroughs to achieve the least
47 cost path consistent with this section to achieve compliance with the
48 authorized carbon reduction ~~goals goal~~ (the "Carbon Plan"). The Carbon Plan
49 shall be reviewed every two years and may be adjusted as necessary in the
50 determination of the Commission and the electric public utilities.

- 1 (2) Comply with current law and practice with respect to the least cost planning
- 2 for generation, pursuant to G.S. 62-2(a)(3a), in achieving the authorized
- 3 carbon reduction ~~goals~~-goal and determining generation and resource mix for
- 4 the future. Any new generation facilities or other resources selected by the
- 5 Commission in order to achieve the authorized reduction ~~goals~~-goal for
- 6 electric public utilities shall be owned and recovered on a cost of service basis
- 7 by the applicable electric public utility except that:
- 8 a. Existing law shall apply with respect to energy efficiency measures
- 9 and demand-side management.
- 10 b. To the extent that new solar generation is selected by the Commission,
- 11 in adherence with least cost requirements, the solar generation selected
- 12 shall be subject to the following: (i) forty-five percent (45%) of the
- 13 total megawatts alternating current (MW AC) of any solar energy
- 14 facilities established pursuant to this section shall be supplied through
- 15 the execution of power purchase agreements with third parties
- 16 pursuant to which the electric public utility purchases solar energy,
- 17 capacity, and environmental and renewable attributes from solar
- 18 energy facilities owned and operated by third parties that are 80 MW
- 19 AC or less that commit to allow the procuring electric public utility
- 20 rights to dispatch, operate, and control the solicited solar energy
- 21 facilities in the same manner as the utility's own generating resources
- 22 and (ii) fifty-five percent (55%) of the total MW AC of any solar
- 23 energy facilities established pursuant to this section shall be supplied
- 24 from solar energy facilities that are utility-built or purchased by the
- 25 utility from third parties and owned and operated and recovered on a
- 26 cost of service basis by the soliciting electric public utility. These
- 27 ownership requirements shall be applicable to solar energy facilities
- 28 (i) paired with energy storage and (ii) procured in connection with any
- 29 voluntary customer program.
- 30 (3) Ensure any generation and resource changes maintain or improve upon the
- 31 adequacy and reliability of the existing grid.
- 32 (4) Retain discretion to determine optimal timing and generation and
- 33 resource-mix to achieve the least cost path to compliance with the authorized
- 34 carbon reduction ~~goals~~-goal, including discretion in achieving the authorized
- 35 carbon reduction ~~goals~~-goal by the ~~dates~~-date specified in order to allow for
- 36 implementation of solutions that would have a more significant and material
- 37 impact on carbon reduction; provided, however, the Commission shall not
- 38 exceed the ~~dates~~-date specified to achieve the authorized carbon reduction
- 39 ~~goals~~-goal by more than two years, except in the event the Commission
- 40 authorizes construction of a nuclear facility or wind energy facility that would
- 41 require additional time for completion due to technical, legal, logistical, or
- 42 other factors beyond the control of the electric public utility, or in the event
- 43 necessary to maintain the adequacy and reliability of the existing grid. In
- 44 making such determinations, the Utilities Commission shall receive and
- 45 consider stakeholder input."

46 **SECTION 11.7.(b)** G.S. 62-110.1 reads as rewritten:

47 **"§ 62-110.1. Certificate for construction of generating facility; analysis of long-range needs**
 48 **for expansion of facilities; ongoing review of construction costs; inclusion of**
 49 **approved construction costs in rates.**

50 ...

1 (e) As a condition for receiving a certificate, the applicant shall file an estimate of
 2 construction costs in such detail as the Commission may require. The Commission shall hold a
 3 public hearing on each application and no certificate shall be granted unless the Commission has
 4 approved the estimated construction costs and made a finding that construction will be consistent
 5 with the Commission's plan for expansion of electric generating capacity. A certificate for the
 6 construction of generating facility by an electric public utility, as that term is defined by
 7 G.S. 62-110.9, shall be granted only if the applicant demonstrates and the Commission finds that
 8 the facility is part of the least cost path to achieve compliance with the authorized carbon
 9 reduction ~~goals~~ goal in G.S. 62-110.9, will maintain or improve upon the adequacy and reliability
 10 of the existing grid, and that the construction and operation of the facility is in the public interest.
 11 In making its determination, the Commission shall consider resource and fuel diversity and
 12 reasonably anticipated future operating costs. Once the Commission grants a certificate, no
 13 public utility shall cancel construction of a generating unit or facility without approval from the
 14 Commission based upon a finding that the construction is no longer in the public interest.

15"

16 **SECTION 11.7.(c)** G.S. 62-133 reads as rewritten:

17 **"§ 62-133. How rates fixed.**

18 (a) In fixing the rates for any public utility subject to the provisions of this Chapter, other
 19 than bus companies, motor carriers and certain water and sewer utilities, the Commission shall
 20 fix such rates as shall be fair both to the public utilities and to the consumer.

21 (b) In fixing such rates, the Commission shall:

22 (1) Ascertain the reasonable original cost or the fair value under G.S. 62-133.1A
 23 of the public utility's property used and useful, or to be used and useful within
 24 a reasonable time after the test period, in providing the service rendered to the
 25 public within the State, less that portion of the cost that has been consumed
 26 by previous use recovered by depreciation expense. In addition, construction
 27 work in progress may be included in the cost of the public utility's property
 28 under any of the following circumstances:

29 a. To the extent the Commission considers inclusion in the public interest
 30 and necessary to the financial stability of the utility in question,
 31 reasonable and prudent expenditures for construction work in progress
 32 may be included, subject to the provisions of subdivision (4a) of this
 33 subsection.

34 b. For baseload electric generating facilities, reasonable and prudent
 35 expenditures shall be included pursuant to subdivisions (2) or (3) of
 36 G.S. 62-110.1(f1), whichever applies, subject to the provisions of
 37 subdivision (4a) of this subsection.

38 c. For baseload electric generating facilities, if the Commission
 39 determines there is an overall cost-savings for customers over the life
 40 of the generating facility and a baseload electric generating facility has
 41 been subject to an annual ongoing review process pursuant to
 42 G.S. 62-110.1(f), the Commission shall, upon determining through the
 43 ongoing review process that the expenditures were reasonably and
 44 prudently incurred, allow an increase in base rates outside of the
 45 rate-making processes established under this section or
 46 G.S. 62-133.16 to reflect solely the inclusion of such construction
 47 work in progress in the rate base, with the increase being effective 30
 48 days after the Commission's order finding that the expenditures were
 49 reasonable and prudent.

50 ...

1 (4a) Require each public utility to discontinue capitalization of the composite
 2 carrying cost of capital funds used to finance construction (allowance for
 3 funds) on the construction work in progress included in its rate based upon the
 4 effective date of the first and each subsequent general rate order issued with
 5 respect to it after the effective date of this subsection; allowance for funds may
 6 be capitalized with respect to expenditures for construction work in progress
 7 not included in the utility's property upon which the rates were fixed. In
 8 determining net operating income for return, the Commission shall not include
 9 any capitalized allowance for funds used during construction on the
 10 construction work in progress included in the utility's rate base.

11 ...

12 (c) The original cost of the public utility's property, including its construction work in
 13 progress, shall be determined as of the end of the test period used in the hearing and the probable
 14 future revenues and expenses shall be based on the plant and equipment in operation at that time.
 15 If the public utility elects to establish rate base using fair value, the fair value determination of
 16 the public utility's property shall be made as provided in G.S. 62-133.1A, and the probable future
 17 revenues and expenses shall be based on the plant and equipment in operation at the end of the
 18 test period. The test period shall consist of 12 months' historical operating experience prior to the
 19 date the rates are proposed to become effective, but the Commission shall consider such relevant,
 20 material and competent evidence as may be offered by any party to the proceeding tending to
 21 show actual changes in costs, revenues or the cost of the public utility's property used and useful,
 22 or to be used and useful within a reasonable time after the test period, in providing the service
 23 rendered to the public within this State, including its construction work in progress, which is
 24 based upon circumstances and events occurring up to the time the hearing is closed.

25"

26 **SECTION 11.7.(d)** G.S. 62-110.1 reads as rewritten:

27 **"§ 62-110.1. Certificate for construction of generating facility; analysis of long-range needs**
 28 **for expansion of facilities; ongoing review of construction costs; inclusion of**
 29 **approved construction costs in rates.**

30 ...

31 (f1) ~~The~~ Except as provided in G.S. 62-133(b)(1)c., the public utility shall recover through
 32 rates in a general rate case conducted pursuant to G.S. 62-133 the actual costs it has incurred in
 33 constructing a generating facility in reliance on a certificate issued under this section as provided
 34 in this subsection, unless new evidence is discovered (i) that could not have been discovered by
 35 due diligence at an earlier time and (ii) that reasonably tends to show that a previous
 36 determination by the Commission that a material item of cost was just and reasonable and
 37 prudently incurred was erroneous. If the Commission determines that evidence has been
 38 submitted that meets the requirements of this subsection, the public utility shall have the burden
 39 of proof to demonstrate that the material item of cost was in fact just and reasonable and prudently
 40 incurred.

41 (1) When a facility has been completed, and the construction of the facility has
 42 been subject to ongoing review under subsection (f) of this section, the
 43 reasonable and prudent costs of construction approved by the Commission
 44 during the ongoing review shall be included in the public utility's rate base
 45 without further review by the Commission.

46 (2) If a facility has not been completed, and the construction of the facility has
 47 been subject to ongoing review under subsection (f) of this section, the
 48 reasonable and prudent costs of construction approved by the Commission
 49 during the ongoing review shall be included in the public utility's rate base
 50 without further review by the Commission.

1 (3) If a facility is under construction or has been completed and the construction
2 of the facility has not been subject to ongoing review under subsection (f) of
3 this section, the costs of construction shall be included in the public utility's
4 rate base if the Commission finds that the incurrence of these costs is
5 reasonable and prudent.

6 (f2) If the construction of a facility is cancelled, including cancellation as a result of
7 modification or revocation of the certificate under subsection (e1) of this section, and the
8 construction of the facility has been subject to ongoing review under subsection (f), absent newly
9 discovered evidence (i) that could not have been discovered by due diligence at an earlier time
10 and (ii) that reasonably tends to show that a previous determination by the Commission that a
11 material item of cost was just and reasonable and prudently incurred was erroneous, the public
12 utility shall recover through rates in a general rate case conducted pursuant to G.S. 62-133 or as
13 provided in G.S. 62-133(b)(1)c., the costs of construction approved by the Commission during
14 the ongoing review that were actually incurred prior to cancellation, amortized over a reasonable
15 time as determined by the Commission. In the general rate ~~ease, case, or a proceeding under~~
16 G.S. 62-133(b)(1)c., the Commission shall make any adjustment that may be required because
17 costs of construction previously added to the utility's rate base pursuant to subsection (f1) of this
18 section are removed from the rate base and recovered in accordance with this subsection. Any
19 costs of construction actually incurred, but not previously approved by the Commission, shall be
20 recovered only if they are found by the Commission to be reasonable and prudent. If the
21 Commission determines that evidence has been submitted that meets the requirements of this
22 subsection, the public utility shall have the burden of proof to demonstrate that the material item
23 of cost was just and reasonable and prudently incurred.

24"

25 **SECTION 11.7.(e)** G.S. 62-110.6 reads as rewritten:

26 "**§ 62-110.6. Rate recovery for construction costs of out-of-state electric generating**
27 **facilities.**

28 (a) The Commission shall, upon petition of a public utility, determine the need for and,
29 if need is established, approve an estimate of the construction costs and construction schedule
30 for an electric generating facility in another state that is intended to serve retail customers in this
31 State.

32 (b) The petition may be filed at any time after an application for a certificate or license
33 for the construction of the facility has been filed in the state in which the facility will be sited.
34 The petition shall contain a showing of need for the facility, an estimate of the construction costs,
35 and the proposed construction schedule for the facility.

36 (c) The Commission shall conduct a public hearing to consider and determine the need
37 for the facility and the reasonableness of the construction cost estimate and proposed construction
38 schedule. If the Commission finds that the construction will be needed to assure the provision of
39 adequate public utility service within North Carolina, the Commission shall approve a
40 construction cost estimate and a construction schedule for the facility. In making its
41 determinations under this section, the Commission may consider whether the state in which the
42 facility will be sited has issued a certificate or license for construction of the facility and approved
43 a construction cost estimate and construction schedule for the facility. The Commission shall
44 issue its order not later than 180 days after the public utility files its petition.

45 (d) G.S. 62-110.1(f) shall apply to the construction cost estimate determined by the
46 Commission to be appropriate, and the actual costs the public utility incurs in constructing the
47 facility shall be recoverable through rates in a general rate case pursuant to G.S. 62-133 as
48 provided in ~~G.S. 62-110.1(f1)~~.G.S. 62-110.1(f1), or as provided in G.S. 62-133(b)(1)c.

49 (e) If the construction of a facility is cancelled, the public utility shall recover through
50 rates in a general rate case conducted pursuant to ~~G.S. 62-133~~.G.S. 62-133, or as provided in
51 G.S. 62-133(b)(1)c., the costs of construction that were actually incurred prior to the cancellation

1 and are found by the Commission to be reasonable and prudent, as provided in subsections (f2)
2 and (f3) of G.S. 62-110.1."

3 **SECTION 11.7.(f)** This section is effective when it becomes law and applies to
4 petitions for an increase to rates based on construction work in progress filed on or after that date.
5

6 **PART XII. ENVIRONMENTAL QUALITY**

7

8 **DEQ BASE BUDGET CORRECTIONS**

9 **SECTION 12.1.(a)** To ensure the Department of Environmental Quality's budget
10 conforms with Chapter 143C of the General Statutes, the Department and the Office of State
11 Budget and Management, in consultation with the Fiscal Research Division, shall take all of the
12 following actions prior to the certification of the 2025-2027 budget under G.S. 143C-6-1(c):

- 13 (1) Remove all negative appropriations from the base budget.
- 14 (2) Remove all negative full-time equivalent positions from the base budget.
- 15 (3) Budget all one-time grants on a nonrecurring basis.
- 16 (4) Remove all intergovernmental transfers from "Other Admin Expenses."
- 17 (5) Budget all intergovernmental transfers as such with the correct amount
18 receipted to the corresponding expenditure.
- 19 (6) Correctly budget the base budget corrections enacted in the "Current
20 Operations Appropriations Act of 2023" (S.L. 2023-134).
- 21 (7) Accurately budget all special funds to not budget the expenditure of cash
22 balances that do not exist.

23 **SECTION 12.1.(b)** No budgetary action by the Department in accordance with
24 subsection (a) of this section shall increase the Department's net General Fund appropriation.

25 **SECTION 12.1.(c)** The Department shall report to the Fiscal Research Division on
26 all actions taken under this section within 30 days of the effective date of this act. This report
27 may be in the form of a revised "Worksheet I."
28

29 **WATER AND WASTEWATER FUNDING DIRECTIVES**

30

31 **2021 AND 2022 WATER AND WASTEWATER PROJECTS FROM STATE FISCAL** 32 **RECOVERY FUNDS PRIORITIZATION**

33 **SECTION 12.2.(a)** Directive. – Recipients of funding from the State Fiscal
34 Recovery Fund for water, wastewater, and stormwater projects under Sections 12.13 and 12.14
35 of S.L. 2021-180, as amended, or Section 12.9 of S.L. 2022-74, as amended, shall prioritize
36 spending those funds prior to spending funds from other State or federal sources for other water,
37 wastewater, and stormwater projects. The Department of Environmental Quality and the Office
38 of State Budget and Management shall not approve payments or transfer funds for new water,
39 wastewater, and stormwater project funding through State or federal sources unless the recipient
40 for funding is meeting all milestones necessary to spend their funding from the State Fiscal
41 Recovery Fund prior to December 31, 2026.
42

43 **2023 WATER AND WASTEWATER GENERAL FUND DEADLINES**

44 **SECTION 12.2.(b)** Deadlines for Project Completions. – Recipients of funding for
45 projects under Section 12.2(e) of S.L. 2023-134 shall comply with the following schedule:

- 46 (1) No later than December 31, 2027, provide to the Department of
47 Environmental Quality (Department) a completed request for funding form
48 with a project budget that describes a project that is eligible for funding under
49 applicable State or federal law and consistent with the purposes for the
50 funding as set forth in Section 12.2(e) of S.L. 2023-134.

- 1 (2) No later than December 31, 2029, enter into a construction contract for the
2 project.
- 3 (3) No later than June 30, 2032, expend all funding allocated under Section
4 12.2(e) of S.L. 2023-134.

5 **SECTION 12.2.(c)** Extension of Deadline. – The Department may extend the
6 applicable deadline set forth in subsection (b) of this section and set a new deadline with a date
7 certain, if the Department finds good cause for the recipient of funding failing to meet the
8 applicable deadline.

9 **SECTION 12.2.(d)** Reversion of Unspent Funds. – If a recipient for funding under
10 Section 12.2(e) of S.L. 2023-134 (i) fails to meet any of the deadlines set forth in subsection (b)
11 or (c) of this section or (ii) complies with the applicable deadline but there remains unexpended
12 or unbudgeted funds in excess of the needs of the eligible project, then unencumbered funds shall
13 revert in accordance with Section 12.2(c) of S.L. 2023-134 on the next business day after the
14 applicable deadline has passed.

15 **SECTION 12.2.(e)** Reallocation of Reverted Funds. – In reallocating funds reverted
16 under subsection (d) of this section, the Department shall prioritize other projects that are
17 allocated funds under Section 12.2(e) of S.L. 2023-134 that the State Water Infrastructure
18 Authority finds can no longer be completed due to unavoidable cost overruns. For purposes of
19 this subsection, an unavoidable cost overrun is an increase in the cost of a project since September
20 1, 2023, due to increases in labor, material, or engineering costs for the project as described in
21 the first request for funding submitted to the Department after that date. A change in project size
22 or scope is not an unavoidable cost overrun.

23 **SECTION 12.2.(f)** Reporting Requirement. – Beginning October 30, 2025, and no
24 later than 30 days after the end of each subsequent quarter thereafter, the Department shall report
25 to (i) the chairs of the House Appropriations Committee on Agriculture and Natural and
26 Economic Resources, (ii) the chairs of the Senate Appropriations Committee on Agriculture,
27 Natural, and Economic Resources, (iii) each member who represents a district with an active
28 project under Section 12.2(e) of S.L. 2023-134, and (iv) the Fiscal Research Division detailing,
29 at a minimum, each project's progress and funding status. This reporting requirement expires
30 when all funds are expended and those projects are completed.

31
32 **EXPAND ELIGIBILITY FOR TARGETED INTEREST RATE LOANS FROM**
33 **WASTEWATER AND DRINKING WATER RESERVES**

34 **SECTION 12.2.(g)** G.S. 159G-20 reads as rewritten:

35 "**§ 159G-20. Definitions.**

36 The following definitions apply in this Chapter:

37 ...

- 38 (21) Targeted interest rate project. – ~~Either~~ Any of the following types of projects:
- 39 a. A project that is awarded a loan from the Drinking Water Reserve or
40 the Wastewater Reserve based on affordability.
- 41 b. A project that is awarded a loan from the CWSRF or the DWSRF and
42 is in a category for which federal law encourages a special focus.
- 43 c. A project the Authority finds will (i) encourage owners of single or
44 multifamily residential property to replace failing decentralized
45 wastewater treatment systems with connection to a publicly owned
46 treatment works, (ii) be located in a county subject to a state of
47 emergency, as defined in G.S. 166A-19.3, with respect to projects
48 intended to repair, ameliorate, or mitigate impacts of the disaster
49 resulting in the state of emergency declaration, or (iii) meet
50 requirements for federal programs that will result in the drawdown of
51 additional federal funds.

(5) SWIA. – The State Water Infrastructure Authority established in Article 5 of Chapter 159G of the General Statutes.

"§ 130A-310.82. Purpose.

The purpose of this Part is to provide funding to support the mitigation of the impacts of PFAS on local public water and wastewater systems.

"§ 130A-310.84. PFAS Mitigation Fund.

(a) Fund Established. – The PFAS Mitigation Fund is established within the Department. The purpose of the Fund is to support statewide efforts to detect, reduce, mitigate, and prevent exposure to PFAS and PFAS precursors and to support scientific research and technology development related to PFAS removal, treatment, monitoring, and precursor identification. The fund consists of any funds appropriated to it by the General Assembly, and grants from federal agencies or other non-State entities.

(b) Uses of Fund. – The Fund may only be used by SWIA to provide grants to units of local government operating public water or wastewater treatment systems for any of the following:

(1) PFAS sampling and monitoring in drinking water, wastewater, surface water, and groundwater.

(2) Installation or upgrade of water treatment technologies for PFAS removal.

(c) Funding Criteria and Oversight. – SWIA shall establish criteria and application procedures for local PFAS response grants and shall prioritize grants to public water systems and public wastewater systems (i) for which contamination from PFAS has caused the greatest impacts on public health and the environment and (ii) that are, or meet the criteria to be categorized as, a distressed unit.

(d) Report. – SWIA shall report annually as a part of the report required by G.S. 159G-72 regarding projects funded under this section. The report shall include the project type (sampling and monitoring, treatment technologies, or emergency response), the project recipient, a brief description of the project, and the amount of funding provided."

SECTION 12.3.(b) Conforming Change. – G.S. 159G-71 reads as rewritten:

"§ 159G-71. State Water Infrastructure Authority; powers and duties.

The Authority has the following additional duties:

...

(13) To award grants to mitigate the impacts of PFAS on local public water and wastewater systems."

SECTION 12.3.(c) Funding. – Funds appropriated in this act from the Stabilization and Inflation Reserve (SIR) established in Section 2.2(q) of S.L. 2022-74 to the Department of Environmental Quality are allocated to the PFAS Mitigation Fund established in Part 9 of Article 9 of Chapter 130A of the General Statutes, as enacted by subsection (a) of this section.

COLLABORATORY RESEARCH GRANTS

SECTION 12.3.(d) PFAS Research Funding. – Funds appropriated in this act from the SIR to the North Carolina Collaboratory at the University of North Carolina (Collaboratory) shall be used to support scientific research on PFAS and PFAS precursors, as defined in G.S. 130A-310.80, conducted by or in collaboration with public or nonprofit academic institutions, including any of the following:

(1) **Detection methods for known and emerging PFAS and PFAS precursors.**

(2) **Fate and transport of PFAS and PFAS precursors in environmental media.**

(3) **Innovative PFAS remediation, filtration, removal, and destruction technologies.**

(4) **Public health and toxicological impact assessments of PFAS and PFAS precursors.**

1 (5) Evaluation of the health impacts of PFAS mixtures found in the State's
2 drinking water to more closely model real-world public health scenarios.

3 (6) Replacement compounds for PFAS and PFAS precursors.

4 **SECTION 12.3.(e)** Directive. – The Collaboratory shall consult with affected
5 stakeholders, scientific experts, and State and local officials to ensure funding is targeted to
6 research in areas of highest environmental and public health impact.

7 **SECTION 12.3.(f)** Report. – The Collaboratory shall include in the report required
8 by G.S. 116-256 documentation of its use of the funds allocated by this section and updates
9 regarding the research funded by this section.

10 **ALGAL BLOOM PROTECTION**

11 **SECTION 12.5.(a)** Article 21 of Chapter 143 of the General Statutes is amended by
12 adding a new Part to read:

13 "Part 8E. Algal Control Grant Program.

14 "§ 143-215.73N. Algal Control Grant Program.

15 (a) Program; Purpose. – The Department of Environmental Quality shall establish the
16 Algal Control Grant Program (Program) to assist units of local government with the control,
17 prevention, and abatement of harmful algal blooms caused by cyanobacteria at public watercraft
18 launching or docking areas. The Department shall adopt rules for the disbursement of the grants
19 pursuant to this section.

20 (b) Grants. – To the extent funds are made available for the Program, the Department
21 shall award units of local government grants on a first-come, first-served basis, in accordance
22 with this section. The Department shall prioritize awarding grants to units of local government
23 that did not receive an award pursuant to the Program in the previous fiscal year. No entity shall
24 receive more than one grant per fiscal year. The Department shall establish criteria for initial and
25 continuing eligibility for participating entities.

26 (c) Local Match Requirement. – Units of local government shall match grant funds
27 received under this section in accordance with this subsection. A local match may include cash,
28 fee waivers, in-kind services, the donation of assets, the provision of infrastructure, or a
29 combination of these. Units of local government shall provide matching contributions as follows:

30 (1) For a local government in a development tier one area, as defined in
31 G.S. 143B-437.08, the State shall provide no more than three dollars (\$3.00)
32 for every one dollar (\$1.00) provided by the local government.

33 (2) For a local government in a development tier two area, as defined in
34 G.S. 143B-437.08, the State shall provide no more than two dollars (\$2.00)
35 for every one dollar (\$1.00) provided by the local government.

36 (3) For a local government in a development tier three area, as defined in
37 G.S. 143B-437.08, the State shall provide no more than one dollar (\$1.00) for
38 every one dollar (\$1.00) provided by the local government.

39 (d) Reporting. – No later than October 1, 2026, and every year thereafter that funds are
40 made available for the Program, the Department shall report to the Joint Legislative Oversight
41 Committee on Agriculture and Natural and Economic Resources on the entities receiving grants
42 under the Program; the specific control, prevention, and abatement methods conducted with the
43 funds; and the impact of the Program on protecting the waters of the State from harmful algal
44 blooms in the previous fiscal year.

45 (e) Administrative Expenses. – The Department may use up to one hundred thousand
46 dollars (\$100,000) in each fiscal year for administrative expenses."

47 **SECTION 12.5.(b)** G.S. 143-215.73F(b) is amended by adding a new subdivision
48 to read:

49 (2a) To provide funding for grants issued pursuant to the Algal Control Grant
50 Program under Part 8E of Article 21 of this Chapter. Funding for algal control
51

1 projects is limited to one million two hundred thousand dollars (\$1,200,000)
 2 in each fiscal year."
 3

4 **BEACH AND INLET MANAGEMENT PLAN AND REPORT**

5 **SECTION 12.6.(a)** Article 21 of Chapter 143 of the General Statutes is amended by
 6 adding a new Part 8E, to be entitled "Beach and Inlet Management Planning." Section 4.9 of S.L.
 7 2017-10 is repealed. Section 13.9 of S.L. 2000-67 is codified within Part 8E, as follows:

- 8 (1) Section 13.9(a) is codified as G.S. 143-215.73N, to be entitled "Findings."
- 9 (2) Sections 13.9(b), 13.9(c), and 13.9(d) are codified as subsections (a), (b), and
 10 (c) of G.S. 143-215.73O, to be entitled "Beach and inlet management plan."
- 11 (3) Section 13.9(e) is repealed.
- 12 (4) Section 13.9(f) is codified as G.S. 143-215.73P, to be entitled "Federal funds;
 13 matching."

14 **SECTION 12.6.(b)** Part 8E of Article 21 of Chapter 143 of the General Statutes, as
 15 enacted by subsection (a) of this section, reads as rewritten:

16 "Part 8E. Beach and Inlet Management Planning.

17 **"§ 143-215.73N. Findings.**

18 The General Assembly makes the following findings:

- 19 (1) North Carolina has 320 miles of ocean beach, including some of the most
 20 pristine and attractive beaches in the country.
- 21 (2) The balance between economic development and quality of life in North
 22 Carolina has made our coast one of the most desirable along the Atlantic
 23 Seaboard.
- 24 (3) North Carolina's beaches are vital to the State's tourism industry.
- 25 (4) North Carolina's beaches belong to all the State's citizens and provide
 26 recreational and economic benefits to our residents statewide.
- 27 (5) Beach erosion can threaten the economic viability of coastal communities and
 28 can significantly affect State tax revenues.
- 29 (6) The Atlantic Seaboard is vulnerable to hurricanes and other coastal storms,
 30 and it is prudent to take precautions such as beach nourishment that protect
 31 and conserve the State's beaches and reduce property damage and flooding.
- 32 (7) Beach renourishment as an erosion control method provides hurricane flood
 33 protection, enhances the attractiveness of beaches to tourists, restores habitat
 34 for turtles, shorebirds, and plants, and provides additional public access to
 35 beaches.
- 36 (8) Federal policy previously favored and assisted voluntary movement of
 37 structures threatened by erosion, but this assistance is no longer available.
- 38 (9) Relocation of structures threatened by erosion is sometimes the best available
 39 remedy for the property owner and is in the public interest.
- 40 (10) Public parking and public access areas are needed for use by the general public
 41 to enable their enjoyment of North Carolina's beaches.
- 42 (11) Acquisition of high erosion hazard property by local or State agencies can
 43 reduce risk to citizens and property, reduce costs to insurance policyholders,
 44 improve public access to beaches and waterways, and protect the
 45 environment.
- 46 (12) Beach nourishment projects such as those at Wrightsville Beach and Carolina
 47 Beach have been very successful and greatly reduced property damage during
 48 ~~Hurricane Fran~~ hurricanes and other coastal storms that have impacted the
 49 State's coast.
- 50 (13) Because local beach communities derive the primary benefits from the
 51 presence of adequate beaches, a program of beach management and

1 restoration should not be accomplished without a commitment of local funds
2 to combat the problem of beach erosion.

3 (14) ~~The~~ With limited exceptions, the State of North Carolina prohibits seawalls
4 and hardening the shoreline to prevent destroying the public's beaches.

5 (15) Beach nourishment is encouraged by both the Coastal Resources Commission
6 and the U.S. Army Corps of Engineers as a method to control beach erosion.

7 (16) The Department of ~~Environment and Natural Resources~~ Environmental
8 Quality has statutory authority to assist local governments in financing beach
9 nourishment projects and is the sponsor of several federal navigation projects
10 that result in dredging beach-quality sand.

11 (17) It is declared to be a necessary governmental responsibility to properly
12 manage and protect North Carolina's beaches from erosion and that good
13 planning is needed to assure a cost-effective and equitable approach to beach
14 management and restoration, and that as part of a comprehensive response to
15 beach erosion, sound policies are needed to facilitate the ability of landowners
16 to move threatened structures and to allow public acquisition of appropriate
17 parcels of land for public beach access.

18 **"§ 143-215.73O. Beach and inlet management plan.**

19 (a) The Department of ~~Environment and Natural Resources~~ Environmental Quality shall
20 compile and evaluate information on the current conditions and erosion rates of beaches, on
21 coastal geology, and on storm and erosion hazards for use in developing a State plan and strategy
22 for beach management and restoration. The Department of ~~Environment and Natural Resources~~
23 Environmental Quality shall make this information available to local governments for use in
24 land-use planning.

25 (b) The Department of Environment and Natural Resources shall develop a multiyear
26 beach management and restoration strategy and plan that does all of the following:

27 (1) Utilizes the data and expertise available in the Divisions of Water Resources,
28 Coastal Management, and Energy, Mineral, and Land Resources.

29 (2) Identifies the erosion rate at each beach community and estimates the degree
30 of vulnerability to storm and hurricane damage.

31 (3) Uses the best available geological and geographical information to determine
32 the need for and probable effectiveness of beach nourishment.

33 (4) Provides for coordination with the U.S. Army Corps of Engineers, the North
34 Carolina Department of Transportation, the North Carolina Division of
35 Emergency Management, and other State and federal agencies concerned with
36 beach management issues.

37 (5) Provides a status report on all U.S. Army Corps of Engineers' beach protection
38 projects in the planning, construction, or operational stages.

39 (6) Makes maximum feasible use of suitable sand dredged from navigation
40 channels for beach nourishment to avoid the loss of this resource and to reduce
41 equipment mobilization costs.

42 (7) Promotes inlet sand bypassing where needed to replicate the natural flow of
43 sand interrupted by inlets.

44 (8) Provides for geological and environmental assessments to locate suitable
45 materials for beach nourishment.

46 (9) Considers the regional context of beach communities to determine the most
47 cost-effective approach to beach nourishment.

48 (10) Provides for and requires adequate public beach access, including
49 handicapped access.

50 (11) Recommends priorities for State funding for beach nourishment projects,
51 based on the amount of erosion occurring, the potential damage to property

1 and to the economy, the benefits for recreation and tourism, the adequacy of
 2 public access, the availability of local government matching funds, the status
 3 of project planning, the adequacy of project engineering, the
 4 cost-effectiveness of the project, and the environmental impacts.

5 (11a) Includes a four-year cycle of planned maintenance and resiliency projects for
 6 the State's beaches and inlets.

7 (12) Includes recommendations on obtaining the maximum available federal
 8 financial assistance for beach nourishment.

9 (13) Is subject to a public hearing to receive citizen input.

10 (c) Each plan shall be as complete as resources and available information allow. The
 11 Department of ~~Environment and Natural Resources~~ Environmental Quality shall revise the plan
 12 every two years and shall submit the revised plan to the General Assembly no later than March
 13 1 of each odd-numbered year. The Department may issue a supplement to the plan in
 14 even-numbered years if significant new information becomes available.

15 **"§ 143-215.73P. Federal funds; matching.**

16 In the event that federal funds become available for planning and developing shore protection
 17 projects, the State shall match those funds in accordance with the funding guidelines set out in
 18 G.S. 143-215.71."

19 **SECTION 12.6.(c)** The Department of Environmental Quality shall provide an
 20 interim report no later than March 1, 2026, on its progress toward updating the beach and inlet
 21 management plan and meeting the March 1, 2027, deadline set forth in G.S. 143-215.73O(c), as
 22 enacted by subsection (b) of this section. The report shall be provided to the Environmental
 23 Review Commission, the Joint Legislative Oversight Commission on Agriculture and Natural
 24 and Economic Resources, and the Fiscal Research Division.

25
 26 **DOWNSTREAM INUNDATION MAPS**

27 **SECTION 12.7.(a)** G.S. 143-215.31 reads as rewritten:

28 **"§ 143-215.31. Supervision over maintenance and operation of dams.**

29 ...

30 (a1) The owner of a dam classified by the Department as a high-hazard dam or an
 31 intermediate-hazard dam shall develop an Emergency Action Plan for the dam as provided in this
 32 subsection:

33 ...

34 (6) Information included in an Emergency Action Plan that constitutes sensitive
 35 public security information, as provided in G.S. 132-1.7, shall be maintained
 36 as confidential information and shall not be subject to disclosure under the
 37 Public Records Act. For purposes of this section, "sensitive public security
 38 information" ~~shall include~~ includes Critical Energy Infrastructure Information
 39 protected from disclosure under rules adopted by the Federal Energy
 40 Regulatory Commission in ~~18 C.F.R. § 388.112.~~ 18 C.F.R. § 388.112, but does
 41 not include Emergency Action Plans or downstream inundation maps
 42 associated with impoundments or dams not regulated by the Federal
 43 Emergency Regulatory Commission.

44"

45 **SECTION 12.7.(b)** G.S. 143-215.32A reads as rewritten:

46 **"§ 143-215.32A. Dam Safety Emergency Fund.**

47 (a) Establishment; Purpose. – There is established the Dam Safety Emergency Fund
 48 within the Department, as set forth in this section. The Fund shall be used to defray expenses
 49 incurred by the Department in developing and implementing an emergency dam safety remedial
 50 plan and assessing overtopping risk for high hazard and intermediate hazard dams.

51 (b) Eligible Expenses. – The Fund may be used for the following expenses:

- 1 (1) Developing and implementing an emergency dam safety remedial plan that
- 2 has been approved by the Department, including expenses incurred to contract
- 3 with any third party for services related to plan development or
- 4 implementation.
- 5 (2) Performing overtopping studies for dams categorized by the Department as
- 6 high hazard or intermediate hazard for which the Department currently has no
- 7 or inadequate overtopping risk information.
- 8 (3) Provision of technical assistance to dam owners or operators with downstream
- 9 inundation mapping requirements for dams categorized by the Department as
- 10 high hazard or intermediate hazard.

11"

12 SECTION 12.7.(c) G.S. 66-58 reads as rewritten:

13 "§ 66-58. **Sale of merchandise or services by governmental units.**

14 (a) Except as provided in this section, it is unlawful for any unit, department, or agency

15 of the State government, or any division or subdivision of the unit, department, or agency, or any

16 individual employee or employees of the unit, department, or agency in his, her, or their capacity

17 as employee or employees thereof to engage directly or indirectly in the sale of goods, wares, or

18 merchandise in competition with citizens of the State, or to engage in the operation of restaurants,

19 cafeterias or other eating places in any building owned by or leased in the name of the State, or

20 to maintain service establishments for the rendering of services to the public ordinarily and

21 customarily rendered by private enterprises, or to provide transportation services, or to contract

22 with any person, firm, or corporation for the operation or rendering of the businesses or services

23 on behalf of the unit, department, or agency, or to purchase for or sell to any person, firm, or

24 corporation any article of merchandise in competition with private enterprise. The leasing or

25 subleasing of space in any building owned, leased, or operated by any unit, department, agency,

26 division, or subdivision of the State for the purpose of operating or rendering of any of the

27 businesses or services referred to in this section is prohibited.

28 ...

29 (c) The provisions of subsection (a) of this section shall not prohibit:

30 ...

- 31 (23) Assistance with the creation of downstream inundation maps required for the
- 32 preparation of Emergency Action Plans, as required by G.S. 143-215.31(a1),
- 33 provided by the Department of Environmental Quality to owners or operators
- 34 of high-hazard dams."

36 **AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO**

37 **EMPLOY INDEPENDENT STAFF**

38 SECTION 12.8. G.S. 143B-283 reads as rewritten:

39 "§ 143B-283. **Environmental Management Commission – members; selection; removal;**

40 **compensation; quorum; services.**

41 ...

42 (b4) ~~Administrative Support.— All clerical and other services required by the Commission~~

43 ~~shall be supplied by the Secretary of Environmental Quality Commission Staff, Structure, and~~

44 ~~Function. —~~

- 45 (1) The Commission is authorized and empowered to employ professional,
- 46 administrative, technical, and clerical personnel as the Commission may
- 47 determine to be necessary in the proper discharge of the Commission's duty
- 48 and responsibility as provided by law. The chair shall organize and direct the
- 49 work of the Commission staff.

1 (2) The salaries and compensation of all such personnel shall be fixed in the
2 manner provided by law for fixing and regulating salaries and compensation
3 by other State agencies.

4 (3) The chair, within allowed budgetary limits and as allowed by law, shall
5 authorize and approve travel, subsistence, and related expenses of such
6 personnel incurred while traveling on official business.

7 "

9 **NO SECOND BITE FOR STORMWATER PERMITTING REVIEW**

10 **SECTION 12.9.** G.S. 143-214.7(b6) reads as rewritten:

11 "(b6) Permitting under the authority granted to the Commission by this section shall comply
12 with the procedures and time lines set forth in this subsection. For any development necessitating
13 stormwater measures subject to this section, applications for new permits, permit modifications,
14 permit transfers, permit renewals, and decisions to deny an application for a new permit, permit
15 modification, transfer, or renewal shall be in writing. Where the Commission has provided a
16 digital submission option, such submission shall constitute a written submission. The
17 Commission shall act on a permit application as quickly as possible. The Commission may
18 conduct any inquiry or investigation it considers necessary before acting on an application and
19 may require an applicant to submit plans, specifications, and other information the Commission
20 considers necessary to evaluate the application. If the Commission fails to act on an application
21 for a permit or for a renewal of a permit as specified in this subsection after the applicant submits
22 all information required by the Commission, the application shall be deemed approved without
23 modification. ~~The following provisions apply:~~ The following provisions apply:

24 (1) The Commission shall perform an administrative review of a new application
25 and of a resubmittal of an application determined to be incomplete under
26 subdivision (3) of this subsection within 10 working days of receipt to
27 determine if the information is administratively complete. If complete, the
28 Commission shall issue a receipt letter or electronic response stating that the
29 application is complete and that a 70-calendar day technical review period has
30 started as of the original date the application was received. If required items
31 or information is not included, the application shall be deemed incomplete,
32 and the Commission shall issue an application receipt letter or electronic
33 response identifying the information required to complete the application
34 package before the technical review begins. When the required information is
35 received, the Commission shall then issue a receipt letter or electronic
36 response specifying that it is complete and that the 70-calendar day review
37 period has started as of the date of receipt of all required information. The
38 Commission shall develop an application package checklist identifying the
39 items and information required for an application to be considered
40 administratively complete. After issuing a letter or electronic response
41 requesting additional information under this subdivision, the Commission
42 shall not subsequently request additional information that was not previously
43 identified as missing or required in that additional information letter or
44 electronic response.

45 "

47 **UST EXPRESS CERTIFICATION**

48 **SECTION 12.10.(a)** G.S. 143-215.94U reads as rewritten:

49 "**§ 143-215.94U. Registration of petroleum commercial underground storage tanks;**
50 **operation of petroleum underground storage tanks; operating permit required.**

1 (a) The owner or operator of each petroleum commercial underground storage tank shall
2 annually obtain an operating permit from the Department for the facility at which the tank is
3 located. The Department shall issue an operating permit only if the owner or operator has done
4 all of the following:

5 (1) Notified the Department of the existence of all tanks as required by 40 Code
6 of Federal Regulations § 280.22 (1 July 1994 Edition) or 42 U.S.C. § 6991a,
7 if applicable, at the facility.

8 ...

9 (7) Received certification from the Department for all commercial petroleum
10 underground storage tanks installed or replaced at the facility.

11 (8) If applicable, paid all fees related to express certification of newly installed or
12 replaced tanks.

13"

14 **SECTION 12.10.(b)** G.S. 143B-279.13 reads as rewritten:

15 "**§ 143B-279.13. Express permit and certification reviews.**

16 (a) The Department of Environmental Quality shall develop an express review program
17 to provide express permit and certification reviews in all of its regional offices. Participation in
18 the express review program is voluntary, and the program shall be supported by the fees
19 determined pursuant to subsection (b) of this section. The Department of Environmental Quality
20 shall determine the project applications to review under the express review program from those
21 who request to participate in the program. The express review program may be applied to any
22 one or all of the permits, approvals, or certifications in the following programs: the erosion and
23 sedimentation control program, the coastal management program, and the water quality
24 programs, including water quality certifications and stormwater management. The express
25 review program shall focus on the following permits or certifications:

26 ...

27 (6) Underground storage tanks installation and replacement certifications under
28 Part 2B of Article 21A of Chapter 143 of the General Statutes."

29 ...

30 (b) The Department of Environmental Quality shall set the fees for express application
31 review under the express review program at a level sufficient to cover all program expenses.
32 Notwithstanding G.S. 143-215.3D, the maximum permit application fee to be charged under
33 subsection (a) of this section for the express review of a project application requiring all of the
34 permits under subdivisions (1) through (5) of subsection (a) of this section shall not exceed five
35 thousand five hundred dollars (\$5,500). Notwithstanding G.S. 143-215.3D, the maximum permit
36 application fee to be charged for the express review of a project application requiring all of the
37 permits under subdivisions (1) through (4) of subsection (a) of this section shall not exceed four
38 thousand five hundred dollars (\$4,500). Notwithstanding G.S. 143-215.3D, the maximum permit
39 application fee charged for the express review of a project application for any other combination
40 of permits under subdivisions (1) through (5) of subsection (a) of this section shall not exceed
41 four thousand dollars (\$4,000). The maximum permit application fee to be charged for the
42 express review of a project application under subdivision (6) of subsection (a) of this section
43 shall not exceed four thousand dollars (\$4,000).

44 (b1) As set forth in subsection (a1) of this section, express review of a project application
45 involving additional permits or certifications issued by the Department of Environmental Quality
46 other than those under subdivisions (1) through (5) of subsection (a) of this section may be
47 allowed by the Department, and, notwithstanding G.S. 143-215.3D or any other statute or rule
48 that sets a permit fee, the maximum permit application fee charged for the express review of a
49 project application that includes a permit, approval, or certification designated for express review
50 under subsection (a1) of this section shall not exceed four thousand dollars (\$4,000), plus one

1 hundred fifty percent (150%) of the fee that would otherwise apply by statute or rule for that
2 particular permit, approval, or certification.

3 (b2) Additional fees, not to exceed fifty percent (50%) of the original permit application
4 fee under this section, may be charged for subsequent reviews due to the insufficiency of the
5 permit applications.

6 (b3) The Department of Environmental Quality may establish the procedure by which the
7 amount of the fees under this subsection is determined, and the fees and procedures are not rules
8 under G.S. 150B-2(8a) for the express review program under this section.

9"

10 ESTABLISH NON-TITLE V FEES IN STATUTE

11 SECTION 12.11. G.S. 143-215.3(a)(1b) reads as rewritten:

12 "(1b) ~~The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing an~~
13 ~~application for a permit under G.S. 143-215.108 and G.S. 143-215.109 of~~
14 ~~Article 21B of this Chapter may not exceed five hundred dollars (\$500.00).~~
15 The Department shall charge permit fees pursuant to G.S. 143-215.3(a)(1a) to
16 non-Title V facilities subject to permitting under G.S. 143-215.108 and
17 G.S. 143-215.109 of Article 21B of this Chapter according to the following
18 schedule:

- 19
- 20 a. For facilities seeking federally enforceable limits to avoid Title V
21 permitting, application fees of eight hundred dollars (\$800.00) and
22 annual fees of three thousand seventy dollars (\$3,070).
 - 23 b. For facilities with a potential to emit below Title V thresholds, except
24 for general permits, application fees of one hundred dollars (\$100.00)
25 and annual fees of four hundred dollars (\$400.00).
 - 26 c. The fee for an ownership change shall be fifty dollars (\$50.00).
 - 27 d. The Department may provide a discount of up to twenty-five percent
28 (25%) on annual fees authorized by sub-subdivisions a. and b. of this
29 subdivision.

30 The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing a
31 registration under Part 2A of this Article or Article 38 of this Chapter may not
32 exceed fifty dollars (\$50.00) for any single registration. An additional fee of
33 twenty percent (20%) of the registration processing fee may be assessed for a
34 late registration under Article 38 of this Chapter. The fee for administering
35 and compliance monitoring under Article 21, other than Parts 1 and 1A, ~~and~~
36 ~~G.S. 143-215.108 and G.S. 143-215.109 of Article 21B~~ shall be charged on
37 an annual basis for each year of the permit term and may not exceed one
38 thousand five hundred dollars (\$1,500) per year. Fees for processing all
39 permits under Article 21A ~~and all other sections of Article 21B~~ shall not
40 exceed one hundred dollars (\$100.00) for any single permit. The total payment
41 for fees that are set by the Commission under this subsection for all permits
42 for any single facility shall not exceed seven thousand five hundred dollars
43 (\$7,500) per year, which amount shall include all application fees and fees for
44 administration and compliance monitoring. A single facility is defined to be
45 any contiguous area under one ownership and in which permitted activities
46 occur. For all permits issued under these Articles where a fee schedule is not
47 specified in the statutes, the Commission, or other commission specified by
48 statute shall adopt a fee schedule in a rule following the procedures established
49 by the Administrative Procedure Act. Fee schedules shall be established to
50 reflect the size of the emission or discharge, the potential impact on the
51 environment, the staff costs involved, relative costs of the issuance of new

permits and the reissuance of existing permits, and shall include adequate safeguards to prevent unusual fee assessments which would result in serious economic burden on an individual applicant. A system shall be considered to allow consolidated annual payments for persons with multiple permits. In its rulemaking to establish fee schedules, the Commission is also directed to consider a method of rewarding facilities which achieve full compliance with administrative and self-monitoring reporting requirements, and to consider, in those cases where the cost of renewal or amendment of a permit is less than for the original permit, a lower fee for the renewal or amendment."

CLARIFY BIENNIAL FEE ADJUSTMENT REQUIREMENTS

SECTION 12.12.(a) G.S. 143B-279.19 reads as rewritten:

"§ 143B-279.19. ~~Quadriennial~~ **Biennial** adjustment of certain fees and rates.

(a) Adjustment for Legislatively Mandated Salaries and Benefits. – Beginning July 1, 2025, and every ~~four~~two years thereafter, the Department shall adjust the fees and rates imposed pursuant to the statutes listed in this subsection in accordance with the Consumer Price Index computed by the Bureau of Labor Statistics (CPI) during the prior ~~two bienniums~~biennium; provided, however, that any increase in a fee or rate under this subsection shall not exceed the cost of the service being provided. If a fee or rate was increased during the prior biennium by the enactment of a general law, the adjustment under this subsection shall reflect only the change in the CPI since that enactment. The adjustment for per transaction rates shall be rounded to the nearest dollar (\$1.00):

- (1) G.S. 74-54.1.
- (2) G.S. 90A-42.
- (3) G.S. 90A-47.4.
- (4) G.S. 113A-54.2.
- (5) G.S. 113A-119.1.
- (6) G.S. 130A-291.1.
- (7) G.S. 130A-294.1.
- (8) G.S. 130A-295.8.
- (9) G.S. 130A-310.9.
- (10) G.S. 130A-310.39.
- (11) G.S. 130A-310.76.
- (12) G.S. 130A-328(b).
- (13) G.S. 130A-328(c).
- (13a) G.S. 143-215.3(1b).
- (14) G.S. 143-215.3D.
- (15) G.S. 143-215.10G.
- (16) G.S. 143-215.28A.
- (17) G.S. 143-215.94C.
- (18) G.S. 143-215.119.
- (19) G.S. 143-215.125A.
- (20) G.S. 143B-279.13.

...."

SECTION 12.12.(b) This section is effective June 30, 2025.

DEQ PERMITTING TRANSPARENCY

SECTION 12.13. The Department of Environmental Quality shall track and report on the work hours, duties, and output of its employees whose job description includes permitting duties (permitting employees). On a quarterly basis, the Department of Environmental Quality shall prepare and submit a performance report of its permitting employees to the Joint Legislative

1 Commission on Governmental Operations and the Office of the State Auditor. The report shall
2 include all of the following information for each permitting employee:

- 3 (1) Position title and number.
- 4 (2) If the employee has been in the position for less than six months, an indication
5 of this fact on the report.
- 6 (3) Total hours worked during the quarter.
- 7 (4) Total hours worked on permitting-related activities.
- 8 (5) If permitting-related activities account for less than ninety percent (90%) of
9 the employee's quarterly work hours, a brief list of other duties performed.
- 10 (6) All permit applications approved or denied, including all of the following
11 information for each application:
 - 12 a. Applicant name.
 - 13 b. Type of permit.
 - 14 c. Date application was received.
 - 15 d. Duration of information request period.
 - 16 e. Date permit was issued or denied.

17 18 **PART XIII. LABOR [RESERVED]**

19 20 **PART XIV. NATURAL AND CULTURAL RESOURCES**

21 22 **NC SYMPHONY CHALLENGE GRANT**

23 **SECTION 14.1.(a)** Of the funds appropriated in this act to the Department of Natural
24 and Cultural Resources, the sum of two million dollars (\$2,000,000) in recurring funds for each
25 year of the 2025-2027 fiscal biennium shall be allocated to the North Carolina Symphony as
26 provided in this section. It is the intent of the General Assembly that the North Carolina
27 Symphony raise at least seven million dollars (\$7,000,000) in non-State funds for the 2025-2026
28 fiscal year and seven million dollars (\$7,000,000) in non-State funds for the 2026-2027 fiscal
29 year. The North Carolina Symphony cannot use funds transferred from the organization's
30 endowment to its operating budget to achieve the fundraising targets set out in subsections (b)
31 and (c) of this section.

32 **SECTION 14.1.(b)** For the 2025-2026 fiscal year, the North Carolina Symphony
33 shall receive allocations from the Department of Natural and Cultural Resources as follows:

- 34 (1) Upon raising the initial sum of two million dollars (\$2,000,000) in non-State
35 funding, the North Carolina Symphony shall receive the sum of six hundred
36 thousand dollars (\$600,000).
- 37 (2) Upon raising an additional sum of two million dollars (\$2,000,000) in
38 non-State funding for a total amount of four million dollars (\$4,000,000) in
39 non-State funds, the North Carolina Symphony shall receive the sum of seven
40 hundred thousand dollars (\$700,000).
- 41 (3) Upon raising an additional sum of three million dollars (\$3,000,000) in
42 non-State funding for a total amount of seven million dollars (\$7,000,000) in
43 non-State funds, the North Carolina Symphony shall receive the final sum of
44 seven hundred thousand dollars (\$700,000) in the 2025-2026 fiscal year.

45 **SECTION 14.1.(c)** For the 2026-2027 fiscal year, the North Carolina Symphony
46 shall receive allocations from the Department of Natural and Cultural Resources as follows:

- 47 (1) Upon raising the initial sum of two million dollars (\$2,000,000) in non-State
48 funding, the North Carolina Symphony shall receive the sum of six hundred
49 thousand dollars (\$600,000).
- 50 (2) Upon raising an additional sum of two million dollars (\$2,000,000) in
51 non-State funding for a total amount of four million dollars (\$4,000,000) in

1 non-State funds, the North Carolina Symphony shall receive the sum of seven
2 hundred thousand dollars (\$700,000).

- 3 (3) Upon raising an additional sum of three million dollars (\$3,000,000) in
4 non-State funding for a total amount of seven million dollars (\$7,000,000) in
5 non-State funds, the North Carolina Symphony shall receive the final sum of
6 seven hundred thousand dollars (\$700,000) in the 2026-2027 fiscal year.
7

8 **SUNDAY OPENING STATE HISTORIC SITE PILOT PROGRAM**

9 **SECTION 14.2.(a)** Program Established. – Funds appropriated in this act to the
10 Department of Natural and Cultural Resources (Department) for the Sunday Opening State
11 Historic Site Pilot Program (Program) shall be used by the Department to open and operate the
12 following State Historic Sites on Sundays during each site's peak season:

- 13 (1) Bentonville Battlefield.
14 (2) Brunswick Town/Fort Anderson.
15 (3) CSS Neuse.
16 (4) Charlotte Hawkins Brown Museum.
17 (5) Fort Fisher.
18 (6) Governor Charles B. Aycock Birthplace.
19 (7) Historic Bath.
20 (8) Historic Edenton.
21 (9) Historic Halifax.
22 (10) North Carolina State Capitol.
23 (11) Reed Gold Mine.
24 (12) Roanoke Island Festival Park.
25 (13) Somerset Place.
26 (14) Thomas Day State Historic Site.

27 **SECTION 14.2.(b)** Notice. – The Department shall publish, update, or provide
28 notice of the new operating hours pursuant to the Program established in subsection (a) of this
29 section.

30 **SECTION 14.2.(c)** Reports. – The Department shall submit the following reports to
31 the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources:

- 32 (1) By October 1, 2026, an interim report with (i) actual costs by site during the
33 2025-2026 fiscal year, (ii) Sunday visitation numbers by site during the
34 2025-2026 fiscal year, and (iii) preliminary recommendations.
35 (2) By April 1, 2027, an interim report with any funding recommendations the
36 Department has for the upcoming biennium.
37 (3) By October 1, 2027, a final report on the implementation of the Program.
38

39 **AQUARIUM AND ZOO REPAIR AND RENOVATION PROJECT AUTHORIZATION**

40 **SECTION 14.3.(a)** G.S. 143B-135.188 reads as rewritten:

41 "**§ 143B-135.188. North Carolina Aquariums; fees; fund.**

42 ...

43 (d) Approval. – The Secretary may approve the use of the North Carolina Aquariums
44 Fund for repair and renovation projects at the aquariums-related facilities that comply with the
45 following:

- 46 (1) The total project cost is less than ~~five hundred thousand dollars~~
47 ~~(\$500,000)~~ seven hundred fifty thousand dollars (\$750,000).
48 (2) The project meets the requirements of G.S. 143C-8-13(a).
49 (3) The project is paid for from funds appropriated to the Fund.
50 (4) The project does not obligate the State to provide increased recurring funding
51 for operations.

1"

2 SECTION 14.3.(b) G.S. 143B-135.209 reads as rewritten:

3 "**§ 143B-135.209. North Carolina Zoo Fund.**

4 ...

5 (c) Approval. – The Secretary may approve the use of the North Carolina Zoo Fund for
6 repair and renovation projects at the North Carolina Zoological Park that comply with the
7 following:

- 8 (1) The total project cost is less than ~~five hundred thousand dollars~~
9 ~~(\$500,000)~~ seven hundred fifty thousand dollars (\$750,000).
- 10 (2) The project meets the criteria to be classified as a repair or renovation under
11 G.S. 143C-8-13(a).
- 12 (3) The project is paid for from funds appropriated to the Fund.
- 13 (4) The project does not obligate the State to provide increased recurring funding
14 for operations.

15"

16 17 EXTENDED LEASE TERMS FOR STATE RECREATION AREAS

18 SECTION 14.4. Pursuant to G.S. 146-29(b), the General Assembly authorizes the
19 Department of Natural and Cultural Resources to enter into leases for a period greater than 30
20 years, but no more than 50 years, of lands owned by the federal government and managed by the
21 Department as the Falls Lake, Jordan Lake, and Kerr Lake State Recreation Areas.

22 23 UNDERWATER ARCHEOLOGY HOBBY LICENSE

24 SECTION 14.5.(a) Article 3 of Chapter 121 of the General Statutes is amended by
25 adding a new section to read:

26 "**§ 121-25.2. Underwater archaeology hobby license.**

27 (a) Hobby License Established. – The underwater archaeology hobby license authorizes
28 licensees to conduct noncommercial exploration of abandoned shipwrecks and the bottoms of
29 the navigable waters of the State and to recover by hand underwater archaeological artifacts to
30 which the State has title under G.S. 121-22. This license shall be issued to individual State
31 residents and nonresidents for terms of either one year or three years, at the option of the
32 applicant.

33 (b) Restrictions. – Holders of a hobby license shall not do any of the following:

- 34 (1) Recover or remove more than 10 underwater archaeological artifacts per day.
- 35 (2) Recover or remove archaeological artifacts buried deeper than 3 inches below
36 the upper substrate of the bottoms of navigable waters.
- 37 (3) Recover or remove underwater archaeological artifacts that are too fragile or
38 structurally unstable to be conserved intact.
- 39 (4) Recover or remove underwater archaeological artifacts using mechanical
40 dredging or lifting devices.
- 41 (5) Use magnetic devices to explore abandoned shipwreck sites.
- 42 (6) Destroy, rearrange, alter, or interfere with the structural integrity of an
43 abandoned shipwreck, including moving or removing timbers, fittings,
44 fastenings, or machinery.
- 45 (7) Explore, access, or recover artifacts from any of the following:
- 46 a. Sites that the Department has authorized persons to conduct
47 exploration, recovery, or salvage operations pursuant to a permit
48 issued under G.S. 121-25.
- 49 b. Sites listed on the National Register of Historic Places or the North
50 Carolina Register of Historic Places.

b. Nonresidents\$75.00."

SECTION 14.5.(b) G.S. 121-25 reads as rewritten:

"§ 121-25. **License to conduct exploration, recovery or salvage operations.**

(a) ~~Any~~ Except as provided in G.S. 121-25.2, any qualified person, firm or corporation desiring to conduct any type of exploration, recovery or salvage operations, in the course of which any part of a derelict vessel or its contents or other archaeological site may be removed, displaced or destroyed, shall first make application to the Department of Natural and Cultural Resources and obtain a permit or license to conduct such operations. If the Department of Natural and Cultural Resources shall find that the granting of such permit or license is in the best interest of the State, it may grant such applicant a permit or license for such a period of time and under such conditions as the Department may deem to be in the best interest of the State. Such permit or license may include but need not be limited to any of the following:

- (1) Payment of monetary fee to be set by the Department.
- (2) That a portion or all of the historic material or artifacts be delivered to custody and possession of the Department.
- (3) That a portion of all of such relics or artifacts may be sold or retained by the licensee.
- (4) That a portion or all of such relics or artifacts may be sold or traded by the Department.

Permits or licenses may be renewed upon or prior to expiration upon such terms as the applicant and the Department may mutually agree. Holders of permits or licenses shall be responsible for obtaining permission of any federal agencies having jurisdiction, including the United States Coast Guard, the United States Department of the Navy and the United States Army Corps of Engineers prior to conducting any salvaging operations.

...."

SECTION 14.5.(c) G.S. 121-25.1 reads as rewritten:

"§ 121-25.1. **Criminal record checks of applicants for permit or license.**

(a) The following definitions apply to this section:

- (1) Applicant. – A person or entity applying for a permit or license under G.S. 121-25 or G.S. 121-25.2 to conduct any type of exploration, recovery, or salvage operations of any part of a derelict vessel or its contents or other archaeological site.

...."

SECTION 14.5.(d) G.S. 121-26 reads as rewritten:

"§ 121-26. **Funds received by Department under ~~§ 121-25~~ Article 3.**

Any funds which may be paid to or received by the Department of Natural and Cultural Resources under the terms of G.S. 121-25 ~~hereof~~ or G.S. 121-25.2 may be allocated for use by the Department of Natural and Cultural Resources for continuing its duties under this Article, subject to the approval of the Department of Administration."

SECTION 14.5.(e) The Department of Natural and Cultural Resources shall adopt rules to implement this section.

TOPSAIL ISLAND PRESERVATION FUNDS

SECTION 14.6. Funds appropriated in this act to the Department of Natural and Cultural Resources (DNCR) for a directed grant to the North Carolina Coastal Land Trust (Trust) for the acquisition of land on Topsail Island are intended to supplement and not supplant funds from other sources. If the Trust obtains alternative funds from any source for the purpose described in this section, the Trust shall remit the funds to the DNCR in the same amount as the alternative funds received. The Trust is not required to remit any amount in excess of the State funds provided to it under this section. DNCR shall transfer these funds to the General Fund.

AMERICAN BATTLEFIELD TRUST – EXPANSION

SECTION 14.7. Notwithstanding the Committee Report described in Section 43.2 of S.L. 2023-134 (Committee Report), the five million dollars (\$5,000,000) in interest transferred from the State Fiscal Recovery Reserve to the American Battlefield Trust (Trust) on page D98 of the Committee Report may also be used for the preservation of historic battlefield land at any site in the State identified by the National Park Service as a preservation priority in reports to Congress in 1993, 2007, and 2010.

PART XV. WILDLIFE RESOURCES COMMISSION**YOUTH OUTDOOR ENGAGEMENT COMMISSION**

SECTION 15.1.(a) G.S. 105-113.128 reads as rewritten:

"§ 105-113.128. Use of tax proceeds.

The Secretary shall distribute the taxes collected under this Article, less the allowance to the Department of Revenue and reimbursement to the Lottery Commission for administrative expenses, in accordance with this section. The Secretary may retain the cost of administering this Article, not to exceed five hundred thousand dollars (\$500,000) a year, as reimbursement to the Department. The Lottery Commission shall, no later than 20 days after the end of the month, notify the Department of its unreimbursed expenses from administering the provisions of Article 9 of Chapter 18C of the General Statutes from the previous month. The Department shall reimburse the Lottery Commission from the tax revenues collected under this Article no later than the end of the month in which the Department was notified. The remainder of the net proceeds of the tax collected under this Article are to be credited in the following priority:

...

- (4) One million dollars (\$1,000,000) annually to the North Carolina Youth Outdoor Engagement Commission for grants, in the discretion of the Commission, as ~~follows:~~provided in sub-subdivisions a. and b. of this subdivision. The Commission may use up to three percent (3%) of the funds credited to it under this subdivision for administrative expenses and for purposes otherwise consistent with the North Carolina Youth Outdoor Engagement Commission executive director's responsibilities under G.S. 143B-344.62. The funds credited to the Commission under this subdivision shall be allocated and used for the following:

- a. Grants not to exceed five thousand dollars (\$5,000) per sporting team or group per county per year requesting grant assistance to travel to in-State or out-of-state sporting events.
- b. Incentive grants not to exceed twenty-five thousand dollars (\$25,000) to attract State, regional, area, and national sporting events, tournaments, and programs for nonprofessional sporting participants in programs administered by city, county, and local school administrative units, or appropriate nonprofit organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code as determined by the North Carolina Youth Outdoor Engagement Commission.

...."

SECTION 15.1.(b) Part 36 of Article 7 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-344.63. Commission may accept gifts.

The North Carolina Youth Outdoor Engagement Commission is hereby authorized to accept gifts, donations, or contributions from any source, which funds shall be held in a separate account within the North Carolina Youth Outdoor Engagement Fund and shall be administered by, and

used solely for purposes consistent with the mission of, the North Carolina Youth Outdoor Engagement Commission."

SECTION 15.1.(c) This section becomes effective July 1, 2025, and applies to tax proceeds collected under Article 2E of Chapter 105 of the General Statutes on or after that date.

PART XVI. ADMINISTRATIVE OFFICE OF THE COURTS

COLLECTION OF WORTHLESS CHECKS

SECTION 16.1. Notwithstanding the provisions of G.S. 7A-308(c), the Judicial Department may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2025, for the purchase or repair of office or information technology equipment during the 2025-2026 fiscal year and may use any balance remaining in the Collection of Worthless Checks Fund on June 30, 2026, for the purchase or repair of office or information technology equipment during the 2026-2027 fiscal year. Prior to using any funds under this section, the Judicial Department shall report to the chairs of the House of Representatives and Senate Appropriations Committees on Justice and Public Safety and the Office of State Budget and Management on the equipment to be purchased or repaired and the reasons for the purchases.

SPLIT OF DISTRICT COURT DISTRICT 43

SECTION 16.2.(a) G.S. 7A-133(a) reads as rewritten:

"(a) Each district court district shall have the numbers of judges as set forth in the following table:

| District | Judges | County |
|--------------------------|-----------------------|--|
| ... | | |
| 43 <u>43A</u> | 7 <u>3</u> | Cherokee Clay Graham Haywood Jackson Macon Swain <u>Swain</u> |
| <u>43B</u> | <u>4</u> | <u>Haywood</u> <u>Jackson.</u> " |

SECTION 16.2.(b) This section becomes effective January 1, 2026, and elections conducted in 2026 shall be held accordingly.

SPLIT PROSECUTORIAL DISTRICT 43 INTO DISTRICTS 43A AND 43B

SECTION 16.2A.(a) G.S. 7A-60, as amended by Section 16.4 of this act, reads as rewritten:

"§ 7A-60. District attorneys and prosecutorial districts.

(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

| Prosecutorial District | Counties | No. of Full-Time Asst. District Attorneys |
|--------------------------|--|---|
| ... | | |
| 43 <u>43A</u> | Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain | 16 <u>7</u> |

...."

ADDITIONAL ASSISTANT DISTRICT ATTORNEYS IN VARIOUS COUNTIES

SECTION 16.4.(a) G.S. 7A-60(a1) reads as rewritten:

"(a1) The counties of the State are organized into prosecutorial districts, and each district has the counties and the number of full-time assistant district attorneys set forth in the following table:

| Prosecutorial District | Counties | No. of Full-Time Asst. District Attorneys |
|------------------------|-----------------------------|---|
| ... | | |
| 8 | Edgecombe, Nash, Wilson | 2225 |
| 9 | Greene, Lenoir, Wayne | 4617 |
| 10 | Wake | 4449 |
| 11 | Franklin, Granville, Person | 4819 |
| | Vance, Warren | |
| 12 | Harnett, Lee | 4214 |
| ... | | |
| 14 | Cumberland | 2531 |
| 15 | Bladen, Brunswick, Columbus | 4617 |
| ... | | |
| 17 | Alamance | 4214 |
| ... | | |
| 20 | Robeson | 4319 |
| 21 | Anson, Richmond, Scotland | 4112 |
| 22 | Caswell, Rockingham | 910 |
| ... | | |
| 24 | Guilford | 4041 |
| ... | | |
| 26 | Mecklenburg | 6171 |
| ... | | |
| 28 | Montgomery, Stanly | 68 |
| ... | | |
| 36 | Burke, Caldwell, Catawba | 2424 |
| ... | | |
| 39 | Cleveland, | 4315 |
| | Lincoln | |
| 40 | Buncombe | 4417 |
| 41 | McDowell, Rutherford | 89 |
| ... | | |
| 43 | Cherokee, Clay, Graham, | 4516 |
| | Haywood, Jackson, Macon, | |
| | Swain." | |

SECTION 16.4.(b) Notwithstanding any provision of this act or the Committee Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to the Administrative Office of the Courts under Budget Code 100072 funding new assistant district attorney positions shall be increased by the sum of nine hundred seventy-four thousand one hundred six dollars (\$974,106) in recurring funds beginning in the 2025-2026 fiscal year and twenty-two thousand five hundred twelve dollars (\$22,512) in nonrecurring funds for the 2025-2026 fiscal year.

1 **SECTION 16.4.(c)** Notwithstanding any provision of this act or the Committee
 2 Report described in Section 45.2 of this act to the contrary, the funds appropriated in this act to
 3 the Future Building Reserve under Budget Code 19050 shall be decreased by the sum of nine
 4 hundred seventy-four thousand one hundred six dollars (\$974,106) in recurring funds beginning
 5 in the 2025-2026 fiscal year and twenty-two thousand five hundred twelve dollars (\$22,512) in
 6 nonrecurring funds for the 2025-2026 fiscal year.

7
 8
 9 **DELINEATE LOCATION OF NEW DEPUTY CLERK POSITIONS**

10 **SECTION 16.5.** Of the funds appropriated in this act to the Administrative Office
 11 of the Courts to be used to hire deputy clerk positions, 28 of the positions shall be allocated in
 12 accordance with the following chart:

| 13 COUNTY | 14 NUMBER OF DEPUTY CLERKS |
|----------------|-------------------------------|
| 15 Bladen | 1 |
| 16 Brunswick | 1 |
| 17 Burke | 1 |
| 18 Chatham | 1 |
| 19 Columbus | 1 |
| 20 Craven | 1 |
| 21 Cumberland | 1 |
| 22 Currituck | 1 |
| 23 Franklin | 1 |
| 24 Johnston | 1 |
| 25 McDowell | 1 |
| 26 Mecklenburg | 1 |
| 27 Onslow | 4 |
| 28 Pender | 1 |
| 29 Robeson | 1 |
| 30 Rockingham | 1 |
| 31 Rutherford | 1 |
| 32 Scotland | 1 |
| 33 Union | 1 |
| 34 Wake | 1 |
| 35 Wilson | 5. |

36
 37 **MODIFY GENERAL COURT OF JUSTICE COSTS**

38 **SECTION 16.6.(a)** G.S. 7A-304(a) reads as rewritten:

39 "(a) In every criminal case in the superior or district court, wherein the defendant is
 40 convicted, or enters a plea of guilty or nolo contendere, or when costs are assessed against the
 41 prosecuting witness, the following costs shall be assessed and collected. No costs may be
 42 assessed when a case is dismissed. Only upon entry of a written order, supported by findings of
 43 fact and conclusions of law, determining that there is just cause, the court may (i) waive costs
 44 assessed under this section or (ii) waive or reduce costs assessed under subdivision (7), (8), (8a),
 45 (11), (12), or (13) of this section. No court may waive or remit all or part of any court fines or
 46 costs without providing notice and opportunity to be heard by all government entities directly
 47 affected. The court shall provide notice to the government entities directly affected of (i) the date
 48 and time of the hearing and (ii) the right to be heard and make an objection to the remission or
 49 waiver of all or part of the order of court costs at least 15 days prior to hearing. Notice shall be
 50 made to the government entities affected by first-class mail to the address provided for receipt of
 51 court costs paid pursuant to the order. The costs referenced in this subsection are listed below:

1 ...
 2 (4) For support of the General Court of Justice, the sum of one hundred
 3 ~~forty-seven-seventy-seven~~ dollars and fifty cents ~~(\$147.50)-(\$177.50)~~ in the
 4 district court, including cases before a magistrate, and the sum of one hundred
 5 ~~fifty-four-eighty-four~~ dollars and fifty cents ~~(\$154.50)-(\$184.50)~~ in the
 6 superior court, to be remitted to the State Treasurer. For a person convicted of
 7 a felony in superior court who has made a first appearance in district court,
 8 both the district court and superior court fees shall be assessed. The State
 9 Treasurer shall remit the sum of ninety-five cents (\$.95) of each fee collected
 10 under this subdivision to the North Carolina State Bar for the provision of
 11 services described in G.S. 7A-474.19.

12"

13 **SECTION 16.6.(b)** G.S. 7A-305 reads as rewritten:

14 **"§ 7A-305. Costs in civil actions.**

15 (a) In every civil action in the superior or district court, except for actions brought under
 16 Chapter 50B of the General Statutes, shall be assessed:

17 ...
 18 (2) For support of the General Court of Justice, the sum of ~~one-two~~ hundred ~~eighty~~
 19 ~~ten~~ dollars ~~(\$180.00)-(\$210.00)~~ in the superior court and the sum of one
 20 hundred ~~thirty-sixty~~ dollars ~~(\$130.00)-(\$160.00)~~ in the district court except
 21 that if the case is assigned to a magistrate the sum shall be ~~eighty-one~~ hundred
 22 ~~ten~~ dollars ~~(\$80.00)-(\$110.00)~~. If a case is designated as a mandatory complex
 23 business case under G.S. 7A-45.4, upon assignment to a Business Court
 24 Judge, the party filing the designation shall pay an additional one thousand
 25 one hundred ~~thirty~~ dollars ~~(\$1,100)-(\$1,130)~~ for support of the General Court
 26 of Justice. If a case is designated as a complex business case under Rule 2.1
 27 and Rule 2.2 of the General Rules of Practice for the Superior and District
 28 Courts, upon assignment to a Business Court Judge, the plaintiff shall pay an
 29 additional one thousand one hundred ~~thirty~~ dollars ~~(\$1,100)-(\$1,130)~~ for
 30 support of the General Court of Justice. Sums collected under this subdivision
 31 shall be remitted to the State Treasurer. The State Treasurer shall remit the
 32 sum of ninety-five cents (\$.95) of each fee collected under this subdivision to
 33 the North Carolina State Bar for the provision of services described in
 34 G.S. 7A-474.19.

35 ...
 36 (a5) In every civil action in the superior or district court wherein a party files a pleading
 37 containing one or more counterclaims, third-party complaints, or cross-claims, except for
 38 counterclaim and cross-claim actions brought under Chapter 50B of the General Statutes for
 39 which costs are assessed pursuant to subsection (a1) of this section, the following shall be
 40 assessed:

41 ...
 42 (3) For support of the General Court of Justice, the sum of ~~one-two~~ hundred ~~eighty~~
 43 ~~ten~~ dollars ~~(\$180.00)-(\$210.00)~~ in the superior court, except that if a case is
 44 assigned to a special superior court judge as a complex business case under
 45 G.S. 7A-45.3, filing fees shall be collected and disbursed in accordance with
 46 subsection (a) of this section, and the sum of one hundred ~~thirty-sixty~~ dollars
 47 ~~(\$130.00)-(\$160.00)~~ in the district court, except that if the case is assigned to
 48 a magistrate, the sum shall be ~~eighty-one~~ hundred ~~ten~~ dollars ~~(\$80.00)-~~
 49 ~~(\$110.00)~~. Sums collected under this subdivision shall be remitted to the State
 50 Treasurer. The State Treasurer shall remit the sum of ninety-five cents (\$.95)

1 of each fee collected under this subdivision to the North Carolina State Bar
2 for the provision of services described in G.S. 7A-474.19.

3"

4 **SECTION 16.6.(c)** This section becomes effective December 1, 2025, and applies
5 to costs assessed on or after that date.

6
7 **MODIFY CIVIL REVOCATION FEE**

8 **SECTION 16.7.(a)** G.S. 20-16.5(j) reads as rewritten:

9 "(j) Costs. – Unless the magistrate or judge orders the revocation rescinded, a person
10 whose license is revoked under this section must pay a fee of ~~one two hundred dollars (\$100.00)~~
11 (\$200.00) as costs for the action before the person's license may be returned under subsection (h)
12 of this section. Fifty percent (50%) of the costs collected under this section shall be credited to
13 the General Fund. Twenty-five percent (25%) of the costs collected under this section shall be
14 used to fund a statewide chemical alcohol testing program administered by the Injury Control
15 Section of the Department of Health and Human Services. The remaining twenty-five percent
16 (25%) of the costs collected under this section shall be remitted to the county for the sole purpose
17 of reimbursing the county for jail expenses incurred due to enforcement of the impaired driving
18 laws."

19 **SECTION 16.7.(b)** This section is effective December 1, 2025, and applies to fees
20 assessed on or after that date.

21
22 **REDUCE ONE SPECIAL SUPERIOR COURT JUDGE POSITION**

23 **SECTION 16.8.(a)** G.S. 7A-45.1 is amended by adding a new subsection to read:

24 "(a14) Notwithstanding any other provision of this section, the special superior court
25 judgeship filled by appointment of the Governor and previously held by State position number:
26 60006166, as of December 31, 2024, is abolished."

27 **SECTION 16.8.(b)** Subsection (a) of this section is effective when it becomes law
28 and applies to all cases and matters assigned to this judgeship on or after that date. The remainder
29 of this section is effective when it becomes law.

30
31 **MODIFY REVERSION AND REPORTING DATES FOR CERTAIN HUMAN**
32 **TRAFFICKING COMMISSION GRANTS**

33 **SECTION 16.9.** G.S. 7A-354.1 reads as rewritten:

34 "**§ 7A-354.1. Human Trafficking Commission Competitive Grant Program.**

35 ...

36 (c) Grant ~~Maximum.~~ Maximum, Amount, and Term. – The Commission shall set the
37 maximum amount of each grant based upon the availability of funds, provided that no grantee
38 shall receive more than fifty thousand dollars (\$50,000) in grant funds in each State fiscal year.
39 The term of each grant shall be for two fiscal years comprising a State budget biennium. Grant
40 funds and any interest earned on those funds in the possession or control of a grantee that are not
41 expended, made subject to an encumbrance, or disbursed to a subgrantee by August 31 of the
42 fiscal year following the grant term shall revert to the State.

43 (d) Grantee Reporting. – No later than ~~February 1~~ August 31 of each year following a
44 year in which a grantee received funds pursuant to the Grant Program created under this section,
45 each grantee shall submit a report to the Commission that includes all of the following:

46 ...

47 (e) Commission Reporting. – No later than ~~April 1~~ October 31 of each year, the
48 Commission shall submit a report on the grants awarded in the previous year to the Senate
49 Appropriations Committee on Justice and Public Safety, the House of Representatives
50 Appropriations Committee on Justice and Public Safety, the Joint Legislative Oversight

1 Committee on Justice and Public Safety, and the Fiscal Research Division. The report shall
 2 contain all of the following:

3"

4
 5 **SALE OF MAINFRAME AND RELATED TECHNOLOGY COMPONENTS**

6 **SECTION 16.10.(a)** Notwithstanding Article 3A of Chapter 143 of the General
 7 Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, the Administrative
 8 Office of the Courts may sell its mainframe computing system and any related components on
 9 terms that the Administrative Office of the Courts deems to be in its best interest without
 10 involvement by the State Surplus Property Agency designated in G.S. 143-64.01 and without
 11 being required to pay any service charge or surcharge to the State Surplus Property Agency. The
 12 net proceeds of this sale shall be deposited in the State Treasury for transfer into the Court
 13 Information Technology Fund established by G.S. 7A-343.2.

14 **SECTION 16.10.(b)** This section is effective when it becomes law.

15
 16 **TEMPORARILY REVISE LAW GOVERNING ELECTRONIC SIGNATURES OF**
 17 **COURT DOCUMENTS**

18 **SECTION 16.11.(a)** Notwithstanding any provision of law or rule to the contrary,
 19 the chief district court judge and the senior resident superior court judge of their respective
 20 districts may provide by rule for the court's manual signature of any orders, judgments, decrees,
 21 or other documents to be filed by the court.

22 **SECTION 16.11.(b)** This section is effective when it becomes law and expires July
 23 1, 2027.

24
 25 **PRESCRIBE RULES GOVERNING TRAINING AND EDUCATIONAL MATERIAL**
 26 **PROVIDED TO JURORS**

27 **SECTION 16.12.(a)** Chapter 9 of the General Statutes is amended by adding a new
 28 Article to read:

29 "Article 6.

30 "Education and Training of Jurors.

31 "§ 9-33. Training and educational material provided to jurors.

32 The Administrative Office of the Courts shall prescribe rules governing any training or
 33 educational material provided at any time to any jurors, including jurors under this Chapter and
 34 grand jurors under Chapter 15A of the General Statutes, to try any cause. The court shall not
 35 provide jurors with any training or educational material that is not otherwise allowed under rules
 36 prescribed by the Administrative Office of the Courts."

37 **SECTION 16.12.(b)** The Administrative Office of the Courts shall adopt rules
 38 consistent with the provisions of this section. The Administrative Office of the Courts may use
 39 the procedure set forth in G.S. 150B-21.1 to adopt any rules as required under this section.

40 **SECTION 16.12.(c)** This section becomes effective December 1, 2025, and applies
 41 to training or educational material provided on or after that date.

42
 43 **NEW PUBLIC DEFENDER DISTRICT 22 TO SERVE ROCKINGHAM AND**
 44 **CASWELL COUNTIES**

45 **SECTION 16.13.** G.S. 7A-498.7(a) reads as rewritten:

46 "(a) The following counties of the State are organized into the defender districts listed
 47 below, and in each of those defender districts an office of public defender is established:

48
 49 **Defender District** **Counties**

50
 51 ...

1 22 Caswell, Rockingham

2"

3
4 **PART XVII. ADULT CORRECTION**

5
6 **NO TRANSFER OF POSITIONS TO OTHER STATE AGENCIES**

7 **SECTION 17.1.(a)** Notwithstanding any other provision of law, and except as
8 otherwise provided in subsection (b) of this section, the Office of State Budget and Management
9 shall not transfer any positions, personnel, or funds from the Department of Adult Correction to
10 any other State agency during the 2025-2027 fiscal biennium unless the transfer was included in
11 the base budget for one or both fiscal years of the biennium.

12 **SECTION 17.1.(b)** This section shall not apply to consolidation of information
13 technology positions into the Department of Information Technology pursuant to
14 G.S. 143B-1325.

15
16 **CENTER FOR COMMUNITY TRANSITIONS/CONTRACT AND REPORT**

17 **SECTION 17.2.** The Department of Adult Correction may continue to contract with
18 The Center for Community Transitions, Inc., a nonprofit corporation, for the purchase of prison
19 beds for minimum security female inmates during the 2025-2027 fiscal biennium. The Center for
20 Community Transitions, Inc., shall report by February 1 of each year to the chairs of the House
21 of Representatives Appropriations Committee on Justice and Public Safety and the Senate
22 Appropriations Committee on Justice and Public Safety on the annual cost per inmate and the
23 average daily inmate population compared to bed capacity using the same methodology as that
24 used by the Department of Adult Correction.

25
26 **STATEWIDE MISDEMEANANT CONFINEMENT PROGRAM FUNDING TRANSFER**

27 **SECTION 17.3.** Of the funds appropriated in this act for the Statewide
28 Misdemeanant Confinement Program:

- 29 (1) The sum of one million dollars (\$1,000,000) shall be transferred each fiscal
30 year to the North Carolina Sheriffs' Association, Inc., a nonprofit corporation,
31 to support the Program and for administrative and operating expenses of the
32 Association and its staff.
- 33 (2) The sum of two hundred twenty-five thousand dollars (\$225,000) shall be
34 allocated each fiscal year to the Department of Adult Correction for its
35 administrative and operating expenses for the Program.
- 36 (3) Up to the sum of five hundred thousand dollars (\$500,000) may be used in
37 each fiscal year of the 2025-2027 fiscal biennium to reimburse sheriffs
38 utilizing inmate labor pursuant to the provisions of Section 19C.10 of S.L.
39 2021-180.

40
41 **REIMBURSE COUNTIES FOR HOUSING AND EXTRAORDINARY MEDICAL**
42 **EXPENSES**

43 **SECTION 17.4.** Notwithstanding G.S. 143C-6-9, the Department of Adult
44 Correction may use funds available to the Department for the 2025-2027 fiscal biennium to
45 reimburse counties for the cost of housing convicted inmates, parolees, and post-release
46 supervisees awaiting transfer to the State prison system, as provided in G.S. 148-29. The
47 reimbursement may not exceed forty-five dollars (\$45.00) per day per prisoner awaiting transfer.
48 Beginning October 1, 2025, the Department shall report quarterly to the chairs of the Joint
49 Legislative Oversight Committee on Justice and Public Safety and the chairs of the House of
50 Representatives Appropriations Committee on Justice and Public Safety and the Senate

1 Appropriations Committee on Justice and Public Safety on the expenditure of funds to reimburse
2 counties for prisoners awaiting transfer.

4 **NURSE STAFFING AT STATE PRISONS REPORT**

5 **SECTION 17.5.(a)** The Department of Adult Correction shall report the following
6 information to the Joint Legislative Oversight Committee on Justice and Public Safety by
7 February 1, 2026, and by February 1, 2027:

- 8 (1) The total number of permanent nursing positions allocated to the Department,
9 the number of filled positions, the number of positions that have been vacant
10 for more than six months, and information regarding the location of both filled
11 and vacant positions.
- 12 (2) The extent to which temporary contract services are being used to staff vacant
13 nursing positions, the method for funding the contract services, and any cost
14 differences between the use of permanent employees versus contract
15 employees.
- 16 (3) A progress report on the implementation of its plan to (i) reduce the use of
17 contract services to provide nursing in State prisons and (ii) attract and retain
18 qualified nurses for employment in permanent positions in State prisons.

19 **SECTION 17.5.(b)** Notwithstanding any other provision of law, the Department of
20 Adult Correction may, in its discretion and subject to the approval of the Office of State Budget
21 and Management, convert funds appropriated for contractual nursing services to permanent
22 nursing positions when it is determined to promote security, generate cost-savings, and improve
23 health care quality. The Department shall report on any such conversions to the Fiscal Research
24 Division.

26 **DOT CONTRACT OF INMATE LITTER CREW**

27 **SECTION 17.6.(a)** After the issuance of a request for information (RFI) and receipt
28 of bids by the Department of Transportation for litter pickup on State highways and roads, the
29 Department of Transportation shall first offer the contract to the Department of Adult Correction
30 upon the same terms and conditions as the most favorable bid received by the Department of
31 Transportation from a suitable contractor. The Department of Adult Correction shall have 30
32 days to accept or decline the offered contract.

33 **SECTION 17.6.(b)** It is the policy of the General Assembly that the Department of
34 Transportation shall utilize inmate litter crews for litter pickup on State highways and roads as
35 often as is necessary and practicable.

37 **INTERSTATE COMPACT FEES TO SUPPORT TRAINING PROGRAMS AND 38 EQUIPMENT PURCHASES**

39 **SECTION 17.7.(a)** Notwithstanding the provisions of G.S. 148-65.7, fees collected
40 for the Interstate Compact Fund during the 2025-2027 fiscal biennium may be used by the
41 Department of Adult Correction during the 2025-2027 fiscal biennium to provide training
42 programs and equipment purchases for the Division of Community Supervision and Reentry, but
43 only to the extent sufficient funds remain available in the Fund to support the mission of the
44 Interstate Compact Program.

45 **SECTION 17.7.(b)** No later than October 1 of each fiscal year, the Department of
46 Adult Correction shall report to the Joint Legislative Oversight Committee on Justice and Public
47 Safety on the amount of funds used pursuant to this section and for what purposes the funds were
48 used.

50 **USE OF SEIZED AND FORFEITED PROPERTY**

1 **SECTION 17.8.(a)** Seized and forfeited assets transferred to the Department of
2 Adult Correction during the 2025-2027 fiscal biennium pursuant to applicable federal law shall
3 be credited to the budget of the Department of Adult Correction and shall result in an increase of
4 law enforcement resources for the Department of Adult Correction. The Department of Adult
5 Correction shall make the following reports to the chairs of the House of Representatives
6 Appropriations Committee on Justice and Public Safety and the Senate Appropriations
7 Committee on Justice and Public Safety:

8 (1) A report upon receipt of any assets.

9 (2) A report that shall be made prior to the use of the assets on their intended use
10 and the departmental priorities on which the assets may be expended.

11 (3) A report on receipts, expenditures, encumbrances, and availability of these
12 assets for the previous fiscal year, which shall be made no later than
13 September 1 of each year.

14 **SECTION 17.8.(b)** The General Assembly finds that the use of seized and forfeited
15 assets transferred pursuant to federal law for new personnel positions, new projects, acquisition
16 of real property, repair of buildings where the repair includes structural change, and construction
17 of or additions to buildings may result in additional expenses for the State in future fiscal periods.
18 Therefore, the Department of Adult Correction is prohibited from using these assets for such
19 purposes without the prior approval of the General Assembly.

20 **SECTION 17.8.(c)** Nothing in this section prohibits State law enforcement agencies
21 from receiving funds from the United States Department of Justice, the United States Department
22 of the Treasury, and the United States Department of Health and Human Services.

23

24 **TEMPORARILY INCREASE THE STATEWIDE MISDEMEANANT CONFINEMENT**

25 **FUND DAILY REIMBURSEMENT AMOUNT**

26 **SECTION 17.9.(a)** Notwithstanding any provision of law to the contrary,
27 reimbursements to counties for the costs of housing misdemeanants under the Statewide
28 Misdemeanant Confinement Program, as authorized by G.S. 148-10.4(d), shall be paid at a daily
29 rate of at least forty-five dollars (\$45.00) for each misdemeanant housed under the Program.

30 **SECTION 17.9.(b)** This section becomes effective July 1, 2025, and applies to
31 misdemeanants housed on or after that date and shall expire June 30, 2027.

32

33 **PART XVIII. JUSTICE**

34

35 **USE OF SEIZED AND FORFEITED PROPERTY**

36 **SECTION 18.1.(a)** Seized and forfeited assets transferred to the Department of
37 Justice during the 2025-2027 fiscal biennium pursuant to applicable federal law shall be credited
38 to the budget of the Department of Justice and shall result in an increase of law enforcement
39 resources for the Department of Justice. The Department of Justice shall make the following
40 reports to the chairs of the House of Representatives Appropriations Committee on Justice and
41 Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

42 (1) A report upon receipt of any assets.

43 (2) A report that shall be made prior to use of the assets on their intended use and
44 the departmental priorities on which the assets may be expended.

45 (3) A report on receipts, expenditures, encumbrances, and availability of these
46 assets for the previous fiscal year, which shall be made no later than
47 September 1 of each year.

48 **SECTION 18.1.(b)** The General Assembly finds that the use of seized and forfeited
49 assets transferred pursuant to federal law for new personnel positions, new projects, acquisition
50 of real property, repair of buildings where the repair includes structural change, and construction
51 of or additions to buildings may result in additional expenses for the State in future fiscal periods.

1 Therefore, the Department of Justice is prohibited from using these assets for such purposes
2 without the prior approval of the General Assembly.

3 **SECTION 18.1.(c)** Nothing in this section prohibits State law enforcement agencies
4 from receiving funds from the United States Department of Justice, the United States Department
5 of the Treasury, and the United States Department of Health and Human Services.

7 **PART XIX. PUBLIC SAFETY**

9 **REVISE LAW PROHIBITING FINANCIAL TRANSACTION CARD FRAUD**

10 **SECTION 19.1.(a)** G.S. 14-113.13(d) reads as rewritten:

11 "(d) A cardholder is guilty of financial transaction card fraud when ~~he~~the cardholder
12 willfully, knowingly, and with an intent to defraud the issuer, a person or organization providing
13 money, goods, services, or anything else of value, or any other person, submits, verbally or in
14 writing, to the issuer or any other person, any false notice or report of the theft, loss,
15 disappearance, or nonreceipt of ~~his~~the financial transaction ~~card~~card or ~~the money, goods,~~
16 services, or other thing of value furnished after presentation of the financial transaction card or
17 financial transaction card account number.

18 ~~Conviction~~Unless the conduct is covered under some other provision of law providing
19 greater punishment, conviction of financial transaction card fraud as provided in this subsection
20 is punishable as provided in G.S. 14-113.17(a)."

21 **SECTION 19.1.(b)** This section becomes effective December 1, 2025, and applies
22 to offenses committed on or after that date.

24 **STUDY INCREASING ENERGY EFFICIENCIES**

25 **SECTION 19.2.(a)** Study. – The Department of Public Safety, in collaboration with
26 the Department of Justice, the Department of Adult Correction, the State Highway Patrol, and
27 the State Bureau of Investigation, shall study what energy-saving initiatives may be implemented
28 by each department, including any agency or division controlled by or located for administrative
29 purposes in the department, to reduce energy costs incurred by each department. For purposes of
30 this subsection, the term "energy-saving initiatives" includes repairs, renovations, or other
31 improvements to any building or facility owned, controlled, or otherwise occupied by a
32 department and any agency or division controlled by or located for administrative purposes in
33 the department.

34 **SECTION 19.2.(b)** Report. – The Department of Public Safety shall submit a report
35 on the findings of the study required under subsection (a) of this section, including any legislative
36 recommendations, to the Joint Legislative Oversight Committee on Justice and Public Safety by
37 March 1, 2026.

39 **NO TRANSFER OF POSITIONS TO OTHER STATE AGENCIES**

40 **SECTION 19.3.(a)** Notwithstanding any other provision of law, and except as
41 otherwise provided in subsection (b) of this section, the Office of State Budget and Management
42 shall not transfer any positions, personnel, or funds from the Department of Public Safety to any
43 other State agency during the 2025-2027 fiscal biennium unless the transfer was included in the
44 base budget for one or both fiscal years of the biennium.

45 **SECTION 19.3.(b)** This section shall not apply to consolidation of information
46 technology positions into the Department of Information Technology pursuant to
47 G.S. 143B-1325.

49 **ADD OFFENSES FOR WHICH ORDERS FOR ELECTRONIC SURVEILLANCE MAY 50 BE GRANTED**

51 **SECTION 19.4.(a)** G.S. 15A-290 reads as rewritten:

1 **"§ 15A-290. Offenses for which orders for electronic surveillance may be granted.**

2 (a) Orders authorizing or approving the interception of wire, oral, or electronic
3 communications may be granted, subject to the provisions of this Article and Chapter 119 of
4 Title 18 of the United States Code, when the interception does any of the following:

- 5 (1) May provide or has provided evidence of the commission of, or any
6 conspiracy to commit, any of the following:
7 a. Any of the drug-trafficking violations listed in G.S. 90-95(h).
8 b. A continuing criminal enterprise in violation of G.S. 90-95.1.
9 c. The offense of money laundering in violation of G.S. 14-118.8.
10 (2) May expedite the apprehension of persons indicted for the commission of, or
11 any conspiracy to commit, an offense listed in subdivision (1) of this
12 subsection.

13 ...

14 (c) Orders authorizing or approving the interception of wire, oral, or electronic
15 communications may be granted, subject to the provisions of this Article and Chapter 119 of
16 Title 18 of the United States Code, when the interception may provide, or has provided, evidence
17 of any of the following offenses, or any conspiracy to commit these offenses, or when the
18 interception may expedite the apprehension of persons indicted for the commission of these
19 offenses:

- 20 (1) Any felony offense against a minor, including any violation of G.S. 14-27.31
21 (Sexual activity by a substitute parent or custodian), G.S. 14-27.32 (Sexual
22 activity with a student), G.S. 14-41 (Abduction of children), G.S. 14-43.11
23 (Human trafficking), G.S. 14-43.12 (Involuntary servitude), G.S. 14-43.13
24 (Sexual servitude), G.S. 14-190.16 (First degree sexual exploitation of a
25 minor), G.S. 14-190.17 (Second degree sexual exploitation of a minor),
26 G.S. 14-202.1 (Taking indecent liberties with children), G.S. 14-205.2(c) or
27 (d) (Patronizing a prostitute who is a minor or has a mental disability), or
28 G.S. 14-205.3(b) (Promoting prostitution of a minor or a person who has a
29 mental disability).
30 (2) Any felony obstruction of a criminal investigation, including any violation of
31 G.S. 14-221.1 (Altering, destroying, or stealing evidence of criminal
32 conduct).
33 (3) Any felony offense involving interference with, or harassment or intimidation
34 of, jurors or witnesses, including any violation of G.S. 14-225.2 or
35 G.S. 14-226.
36 (4) Any felony offense involving assault or threats against any executive or
37 legislative officer in violation of Article 5A of Chapter 14 of the General
38 Statutes or assault with a firearm or other deadly weapon upon governmental
39 officers or employees in violation of G.S. 14-34.2.
40 (5) Any offense involving the manufacture, assembly, possession, storage,
41 transportation, sale, purchase, delivery, or acquisition of weapons of mass
42 death or destruction in violation of G.S. 14-288.8 or the adulteration or
43 misbranding of food, drugs, cosmetics, etc., with the intent to cause serious
44 injury in violation of G.S. 14-34.4.
45 (6) Any felony offense involving human trafficking of an adult, including any
46 violation of G.S. 14-43.11 (Human trafficking), G.S. 14-43.12 (Involuntary
47 servitude), or G.S. 14-43.13 (Sexual servitude).

48"

49 **SECTION 19.4.(b)** This section becomes effective December 1, 2025, and applies
50 to offenses committed on or after that date.

USE OF SEIZED AND FORFEITED PROPERTY

SECTION 19.5.(a) Seized and forfeited assets transferred to the Alcohol Law Enforcement Division of the Department of Public Safety (ALE) during the 2025-2027 fiscal biennium pursuant to applicable federal law shall be credited to the budget of the ALE and shall result in an increase of law enforcement resources for the ALE. The ALE shall make the following reports to the chairs of the House of Representatives Appropriations Committee on Justice and Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

- (1) A report upon receipt of any assets.
- (2) A report that shall be made prior to use of the assets on their intended use and the departmental priorities on which the assets may be expended.
- (3) A report on receipts, expenditures, encumbrances, and availability of these assets for the previous fiscal year, which shall be made no later than September 1 of each year.

SECTION 19.5.(b) The General Assembly finds that the use of seized and forfeited assets transferred pursuant to federal law for new personnel positions, new projects, acquisition of real property, repair of buildings where the repair includes structural change, and construction of or additions to buildings may result in additional expenses for the State in future fiscal periods. Therefore, the ALE is prohibited from using these assets for such purposes without the prior approval of the General Assembly.

SECTION 19.5.(c) Nothing in this section prohibits State law enforcement agencies from receiving funds from the United States Department of Justice, the United States Department of the Treasury, and the United States Department of Health and Human Services.

SECTION 19.5.(d) The Joint Legislative Oversight Committee on Justice and Public Safety shall study the impact on State and local law enforcement efforts of the receipt of seized and forfeited assets. The Committee shall report its findings and recommendations prior to the convening of the 2026 Regular Session of the 2025 General Assembly.

EXPAND SCOPE OF RESPONDER ASSISTANCE INITIATIVE

SECTION 19.6. In addition to the persons already allowed to utilize the service, the Division of Emergency Management of the Department of Public Safety shall allow emergency management workers responding to disaster relief and recovery efforts in an affected area, as defined in Section 1.4 of S.L. 2024-53, to utilize the services provided under the Responder Assistance Initiative. For purposes of this section, the term "emergency management worker" means any full- or part-time paid, volunteer, or auxiliary employee of the State or any political subdivision thereof who qualifies as an "emergency management worker" under G.S. 166A-19.60.

SENATE CONFIRMATION OF ADJUTANT GENERAL

SECTION 19.7.(a) G.S. 127A-19 reads as rewritten:

"§ 127A-19. Adjutant General.

(a) The military head of the militia shall be the Adjutant General who shall hold the rank of major general with federal recognition at time of appointment or attain the rank of major general pursuant to this section. The Adjutant General shall be appointed by the Governor in the Governor's capacity as commander in chief of the militia, in consultation with the Secretary of Public Safety, and Safety. The appointment is subject to the process in accordance with G.S. 143B-9 as if the Adjutant General was a head of a principal State department. The Adjutant General shall serve at the pleasure of the Governor. The Adjutant General, while holding this office, shall be a member of the active North Carolina National Guard. If an appointed Adjutant General does not attain the rank of major general with federal recognition within a reasonable period of time from the date of appointment, the Governor shall replace the Adjutant General with an appointee who meets the criteria in-in, and appointed in accordance with, this section. A

1 "reasonable period of time" shall take into account time in grade requirements for promotion or
2 promotions and administrative periods necessary to complete the promotion process.

3 (b) In order to be eligible for appointment as Adjutant General, a person shall be a
4 resident of the State of North Carolina and meet all of the following requirements:

5 (1) The person shall have a total of at least 10 years of commissioned service in
6 any component or components of the Armed Forces of the United States.

7 (2) The person shall have a minimum of three years commissioned service in the
8 Army or Air National Guard within the six-year period previous to the
9 appointment date.

10 (3) The person, at the time of appointment, shall be one of the following:

11 a. A major general with federal recognition or who is eligible for federal
12 recognition.

13 b. A brigadier general with federal recognition or who is eligible for
14 federal recognition and who is eligible for promotion to major general
15 with federal recognition.

16 c. A colonel with federal recognition or who is eligible for federal
17 recognition; who is eligible for promotion and federal recognition as a
18 brigadier general; and who is eligible for promotion to major general
19 with federal recognition.

20 (4) The person shall have completed all service school or other criteria for
21 promotion to general officer with federal recognition.

22 (5) The person shall have a minimum of 12 months in command of either (i) an
23 Army or Air National Guard unit or (ii) a unit in any component of the Armed
24 Forces of the United States.

25 (c) Subject to the approval of the Governor and in consultation with the Secretary of
26 Public Safety, the Adjutant General may appoint:

27 (1) A deputy adjutant general, who may hold the same rank as the Adjutant
28 General.

29 (2) Two assistant adjutants general for the Army National Guard and an assistant
30 adjutant general for the Air National Guard, each of whom may hold the rank
31 of brigadier general.

32 The appointees authorized by this subsection shall serve at the pleasure of the Governor. The
33 Adjutant General may also employ staff members and other personnel as authorized by the
34 Secretary and funded."

35 **SECTION 19.7.(b)** This section is effective when it becomes law.

37 **MILITARY JUDGES OF THE NORTH CAROLINA NATIONAL GUARD** 38 **APPOINTMENT MODIFICATIONS**

39 **SECTION 19.8.(a)** G.S. 127A-50 reads as rewritten:

40 **"§ 127A-50. Summary courts-martial.**

41 (a) In the North Carolina National Guard, not in the service of the United States, summary
42 courts-martial may be appointed by any of the following:

43 (1) Any person who may convene a general or special court-martial.

44 (2) The commander of a battalion, comparable or higher command of the North
45 Carolina Army National Guard, provided that the commander is an officer of
46 the grade of major or above.

47 (3) The commander of a detached squadron, comparable or higher command of
48 the North Carolina Air National Guard, provided that the commander is an
49 officer of the grade of major or above.

50 (b) The court acting under this section shall consist of one ~~officer who shall have the~~
51 ~~power to administer oaths and try enlisted personnel of each respective command for breaches~~

1 of discipline and violations of laws governing those organizations. These courts shall also have
 2 the power to impose punishments in like manner and to the extent prescribed by the Uniform
 3 Code of Military Justice and Manual for Courts Martial, United States, as shall be in use by the
 4 Armed Forces of the United States at the time of the offense, except that no officer, the State
 5 military judge, and a judge advocate detailed to the court as a hearing officer. A summary
 6 court-martial shall have the authority to impose fines of not more than five hundred dollars
 7 (\$500.00), to impose forfeitures of two-thirds pay for one month, to restrict to limits, to impose
 8 extra duty, and to reduce the rank of enlisted persons E7 and above by up to two ranks and
 9 enlisted persons E6 and below to the rank of E1.

10 (c) No court acting under this section shall have the authority to impose confinement as
 11 part of a sentence.

12 (d) There shall be no right during summary courts-martial to demand trial by
 13 court-martial."

14 **SECTION 19.8.(b)** G.S. 127A-50.1 reads as rewritten:

15 "**§ 127A-50.1. Military judges.**

16 The Adjutant General shall appoint military judges to preside over courts-martial of the North
 17 Carolina National Guard not in federal service. Minimum requirements for appointment as a
 18 military judge ~~are:~~are the following:

19 (1) ~~Certification as a military judge by the Judge Advocate General of the United~~
 20 ~~States Army, Air Force, Navy, Marines, or Coast Guard.~~

21 (2) Designation as a judge advocate by the Judge Advocate General of the United
 22 States Army, Navy, Air Force, Marines, or Coast Guard.

23 (3) Membership in the North Carolina National Guard, the National Guard of
 24 another state, or the active or reserve components of the Armed Forces of the
 25 United States.

26 (4) A member in good standing for at least 10 years of either of the following:

27 a. The bar of the highest court of this State or any other state.

28 b. The bar of a federal court.

29 (5) Hold the rank of lieutenant colonel or above."

30 **SECTION 19.8.(c)** Subsection (a) of this section is effective when it becomes law
 31 and applies to summary courts-martial initiated on or after that date. Subsection (b) of this section
 32 is effective when it becomes law and applies to military judges serving on or after that date,
 33 except the requirements of G.S. 127A-50.1, as amended by subsection (b) of this section, shall
 34 only apply to appointments made on or after that date. The remainder of this section is effective
 35 when it becomes law.

36
 37 **ENLARGE NATIONAL GUARD EMERGENCY RESPONSE ROLE**

38 **SECTION 19.9.(a)** G.S. 166A-19.3 reads as rewritten:

39 "**§ 166A-19.3. Definitions.**

40 The following definitions apply in this Article:

41 (1a) Adjutant General. – The Adjutant General of the North Carolina National
 42 Guard.

43 ...

44 (3a) Disaster recovery period. – The period following a disaster response period in
 45 which the State Emergency Response Team provides for the rapid and orderly
 46 rehabilitation of persons and restoration of property by focusing on restoration
 47 of critical infrastructure, rebuilding of communities, and revitalization of
 48 economic activity.

49 (3b) Disaster response period. – The initial 30-day period after a state of emergency
 50 is declared in which the State Emergency Response Team is activated and
 51 provides for the prompt and efficient rescue, care, and treatment of threatened

or affected persons in order to save lives, prevent further injury, and provide basic life necessities to impacted persons. The disaster response period may be extended for an additional 30 days by the Governor with the concurrence of the Council of State. The State Emergency Response Team may also engage in disaster recovery efforts during the disaster response period as needed.

...

(18) State Emergency Response Team. – The representative group of State agency personnel designated to carry out the emergency management support functions identified in the North Carolina Emergency Operations Plan. The State Emergency Response Team leader during the disaster response period shall be the ~~Director of the Division, Adjutant General of the North Carolina National Guard~~, who shall have authority to manage the ~~Team pursuant to G.S. 166A-19.12(1), as delegated by the Governor. Team pursuant to G.S. 166A-19.12A.~~ The Team shall consist of the North Carolina National Guard and the following State agencies:

...."

SECTION 19.9.(b) G.S. 166A-19.11 reads as rewritten:

"§ 166A-19.11. Powers of the Secretary of Public Safety.

The Secretary shall be responsible to the Governor for State emergency management activities. The Secretary shall have the following powers and duties as delegated by the Governor:

- (1) ~~To activate the State and local plans applicable to the areas in question and to authorize and direct the deployment and use of any personnel and forces to which the plan or plans apply, and the use or distribution of any supplies, equipment, materials, and facilities available pursuant to this Article or any other provision of law.~~
- (2) To adopt the rules to implement those provisions of this Article that deal with matters other than those that are exclusively ~~local~~, in consultation with the Adjutant General.

...."

SECTION 19.9.(c) G.S. 166A-19.12 reads as rewritten:

"§ 166A-19.12. Powers of the Division of Emergency Management.

The Division of Emergency Management shall have the following powers and duties as delegated by the Governor and Secretary of Public ~~Safety~~:Safety and in coordination with the Adjutant General:

- (1) Coordination of the activities of all State agencies for emergency management within the ~~State~~, State during the disaster recovery period, including planning, organizing, staffing, equipping, training, testing, and activating and managing the State Emergency Response Team and emergency management programs.
- (2) Preparation and maintenance of State plans for ~~emergencies~~. emergencies, including contingency plans for emergencies. The State plans or any parts thereof may be incorporated into department regulations and into executive orders of the Governor.

...

- (8) Coordination of the use of any private facilities, services, and ~~property~~. property during a disaster recovery period.

...."

SECTION 19.9.(d) Part 2 of Article 1A of Chapter 166A of the General Statutes is amended by adding a new section to read:

"§ 166A-19.12A. Powers of the Adjutant General.

1 (a) The Adjutant General shall be responsible to the Governor for execution of the North
 2 Carolina Emergency Operations Plan during a disaster response period. The Adjutant General
 3 shall have the following powers and duties as delegated by the Governor:

- 4 (1) Coordination of the activities of all State agencies for emergency management
 5 within the State during the disaster response period, including planning,
 6 organizing, staffing, equipping, training, testing, and activating and managing
 7 the State Emergency Response Team, staffing and operation of the Emergency
 8 Operations Center, emergency management programs, and the North Carolina
 9 State and Local Aviation Plan. As part of the State and Local Aviation Plan,
 10 the Adjutant General shall be designated the State Emergency Response Team
 11 Air Operations Coordinator during a disaster response period.
- 12 (2) Activation of the State and local plans applicable to the areas in question and
 13 authorization and direction of the deployment and use of any personnel and
 14 forces to which the plan or plans apply during the disaster response period.
- 15 (3) Coordination of the use or distribution of any supplies, equipment, materials,
 16 and facilities available pursuant to this Article or any other provision of law
 17 during the disaster response period.
- 18 (4) Coordination of the activities of all State agencies in activating and managing
 19 the State Emergency Response Team and emergency management programs
 20 during the disaster response period.
- 21 (5) Coordination of the use of any private facilities, services, and property, in the
 22 State Emergency Response Team's execution of State and local plans during
 23 the disaster response period.

24 (b) The Adjutant General may appoint a designee within the North Carolina National
 25 Guard to exercise the powers and duties under subsection (a) of this section if the Adjutant
 26 General is unable to perform those powers and duties due to (i) federalization under Title 10 or
 27 32 of the United States Code by the President of the United States or (ii) any other incapacity
 28 preventing the Adjutant General from carrying out of those duties."

29 **SECTION 19.9.(e)** G.S. 166A-69 reads as rewritten:

30 **"§ 166A-69. North Carolina Search and Rescue Team Advisory Committee.**

31 (a) The North Carolina Search and Rescue Team Advisory Committee is created. The
 32 Secretary shall appoint the members of the Committee and shall designate the ~~Director of the~~
 33 ~~North Carolina Division of Emergency Management or the Director's designee~~ Adjutant General
 34 as the chair. In making appointments, the Secretary shall take into consideration the expertise of
 35 the appointees in the management of search and rescue or specialty response team missions. The
 36 Secretary shall appoint one representative from each of the following:

- 37 (1) The Division of North Carolina Emergency Management, who shall be the
 38 Director of the North Carolina Division of Emergency Management or the
 39 Director's ~~designee and who shall serve as the chair.~~ designee.
- 40 ...
- 41 (5) The Adjutant General of the North Carolina National Guard, ~~Guard~~, who shall
 42 serve as chair.

43 "

44 **SECTION 19.9.(f)** G.S. 127A-20 reads as rewritten:

45 **"§ 127A-20. Administrative and operational relationships of the Adjutant General.**

46 ~~In~~ Except as provided in Chapter 166A of the General Statutes, in all administrative and
 47 operational matters affecting the militia while under State control, the Adjutant General shall be
 48 responsible to and subject to the direction and supervision of the Secretary of Public Safety."

49 **SECTION 19.9.(g)** Within 60 days of the effective date of this section, the Governor
 50 shall update the North Carolina Emergency Operations Plan (Plan) to reflect that the Adjutant
 51 General of the North Carolina National Guard (Adjutant General) is the leader of the State

1 Emergency Response Team (SERT) during the disaster response period, as defined in
 2 G.S. 166A-19.3, as amended by this section. Within one year of the effective date of this section,
 3 the Governor, in coordination with the Adjutant General, the Secretary of Public Safety, and the
 4 Director of the Division of Emergency Management, shall update the Plan to implement the
 5 provisions of this section. In updating the Plan, the Adjutant General shall account for chain of
 6 command for the SERT if the North Carolina National Guard is federalized under Title 10 or
 7 Title 32 of the United States Code by the President of the United States during the activation of
 8 the SERT.

9 **SECTION 19.9.(h)** This section is effective when it becomes law.

10 **LIMIT USE OF COMMUNITY PROGRAM FUNDS**

11 **SECTION 19.10.(a)** Funds appropriated in this act to the Department of Public
 12 Safety for the 2025-2027 fiscal biennium for community program contracts, that are not required
 13 for or used for community program contracts, may be used only for the following:

- 14 (1) Other statewide residential programs that provide Level 2 intermediate
 15 dispositional alternatives for juveniles.
- 16 (2) Statewide community programs that provide Level 2 intermediate
 17 dispositional alternatives for juveniles.
- 18 (3) Regional programs that are collaboratives of two or more Juvenile Crime
 19 Prevention Councils which provide Level 2 intermediate dispositional
 20 alternatives for juveniles.
- 21 (4) The Juvenile Crime Prevention Council funds to be used for the Level 2
 22 intermediate dispositional alternatives for juveniles listed in
 23 G.S. 7B-2506(13) through (23).

24 **SECTION 19.10.(b)** Funds appropriated by this act to the Department of Public
 25 Safety for the 2025-2027 fiscal biennium for community programs may not be used for staffing,
 26 operations, maintenance, or any other expenses of youth development centers or detention
 27 facilities.
 28

29 **SECTION 19.10.(c)** The Department of Public Safety shall submit an electronic
 30 report by October 1 of each year of the 2025-2027 fiscal biennium on all expenditures made in
 31 the preceding fiscal year from the miscellaneous contract line in Fund Code 1230 to the chairs of
 32 the House of Representatives Appropriations Committee on Justice and Public Safety and the
 33 Senate Appropriations Committee on Justice and Public Safety and the Fiscal Research Division.
 34 The report shall include all of the following: an itemized list of the contracts that have been
 35 executed, the amount of each contract, the date the contract was executed, the purpose of the
 36 contract, the number of juveniles that will be served and the manner in which they will be served,
 37 the amount of money transferred to the Juvenile Crime Prevention Council fund, and an itemized
 38 list of grants allocated from the funds transferred to the Juvenile Crime Prevention Council fund.
 39

40 **MODIFY APPOINTMENT REQUIREMENTS FOR JUVENILE FORENSIC** 41 **EVALUATORS**

42 **SECTION 19.11.(a)** Article 24 of Chapter 7B of the General Statutes reads as
 43 rewritten:

44 "Article 24.

45 "Hearing Procedures.

46 ...

47 **"§ 7B-2401.1. Definitions.**

48 The following definitions apply in this Article:

49 ...

50 (5a) Local Management Entity/Managed Care Organization or LME/MCO. – As
 51 defined in G.S. 122C-3.

1 ...
2 **"§ 7B-2401.2. Procedures to determine capacity; hearing procedures; evidence.**

3 ...
4 (b) When the capacity of the juvenile to proceed is questioned, the court may appoint one
5 or more local certified forensic evaluators employed by, or under contract with, a Local
6 Management Entity/Managed Care Organization (LME/MCO), and paid by the LME/MCO with
7 public funds, who are qualified by the Department of Health and Human Services to conduct
8 forensic evaluations for juveniles to examine the juvenile and return a forensic evaluation report.
9 Reports so prepared are admissible at the hearing. The court may call any expert so appointed to
10 testify at the hearing with or without the request of either party. This subsection shall not be
11 construed to limit the juvenile's right to retain his or her own expert or the State's right to obtain
12 its own expert.

13 ...
14 **"§ 7B-2401.3. Juvenile forensic evaluation credentialing; conducting forensic evaluations;
15 written reports; compensation of experts.**

16 ...
17 ~~(h) Any forensic evaluator appointed by the court to conduct a forensic evaluation,
18 ordered pursuant to G.S. 7B-2401.2, shall receive a reasonable fee for such service. The fee shall
19 be determined for each forensic evaluation by the appointing court, in accordance with
20 reimbursement guidelines maintained by the North Carolina Administrative Office of the Courts.
21 If any such forensic evaluator is required to appear as a witness in any hearing held pursuant to
22 this section, the forensic evaluator shall receive reimbursement for expenses according to
23 guidelines maintained by the North Carolina Administrative Office of the Courts.~~

24"

25 **SECTION 19.11.(b)** This section becomes effective December 1, 2025, and applies
26 to forensic evaluators appointed on or after that date.

27 **PART XX. STATE BUREAU OF INVESTIGATION**

28 **USE OF SEIZED AND FORFEITED PROPERTY**

29
30 **SECTION 20.1.(a)** Seized and forfeited assets transferred to the State Bureau of
31 Investigation (SBI) during the 2025-2027 fiscal biennium pursuant to applicable federal law shall
32 be credited to the budget of the SBI and shall result in an increase of law enforcement resources
33 for the SBI. The SBI shall make the following reports to the chairs of the House of
34 Representatives Appropriations Committee on Justice and Public Safety and the Senate
35 Appropriations Committee on Justice and Public Safety:

- 36 (1) A report upon receipt of any assets.
- 37 (2) A report that shall be made prior to use of the assets on their intended use and
38 the departmental priorities on which the assets may be expended.
- 39 (3) A report on receipts, expenditures, encumbrances, and availability of these
40 assets for the previous fiscal year, which shall be made no later than
41 September 1 of each year.

42
43 **SECTION 20.1.(b)** The General Assembly finds that the use of seized and forfeited
44 assets transferred pursuant to federal law for new personnel positions, new projects, acquisition
45 of real property, repair of buildings where the repair includes structural change, and construction
46 of or additions to buildings may result in additional expenses for the State in future fiscal periods.
47 Therefore, the SBI is prohibited from using these assets for such purposes without the prior
48 approval of the General Assembly.

49 **SECTION 20.1.(c)** Nothing in this section prohibits State law enforcement agencies
50 from receiving funds from the United States Department of Justice, the United States Department
51 of the Treasury, and the United States Department of Health and Human Services.

NO TRANSFER OF POSITIONS TO OTHER STATE AGENCIES

SECTION 20.2.(a) Notwithstanding any other provision of law, and except as otherwise provided in subsection (b) of this section, the Office of State Budget and Management shall not transfer any positions, personnel, or funds from the State Bureau of Investigation to any other State agency during the 2025-2027 fiscal biennium unless the transfer was included in the base budget for one or both fiscal years of the biennium.

SECTION 20.2.(b) This section shall not apply to consolidation of information technology positions into the Department of Information Technology pursuant to G.S. 143B-1325.

TECHNICAL CORRECTIONS RELATED TO MAKING THE STATE BUREAU OF INVESTIGATION AN INDEPENDENT DEPARTMENT

SECTION 20.3.(a) G.S. 18B-902(b) reads as rewritten:

"(b) Investigation. – Before issuing a new permit, the Commission, with the assistance of the ALE Division, shall investigate the applicant and the premises for which the permit is requested. The Commission may request the assistance of local ABC officers in investigating applications. An applicant shall cooperate fully with the investigation.

The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide a criminal record check to the ALE Division for a person who has applied for a permit through the Commission. The ALE Division shall provide to the ~~Department of Public Safety, Bureau,~~ along with the request, the fingerprints of the applicant, any additional information required by the ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant consenting to the check of the criminal record and to the use of the fingerprints and other identifying information required by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to the State Bureau of Investigation used~~ for a search of the State's criminal history record file, and the ~~State Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check. The ALE Division and the Commission shall keep all information pursuant to this subsection privileged, in accordance with applicable State law and federal guidelines, and the information shall be confidential and shall not be a public record under Chapter 132 of the General Statutes.

The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the checks of criminal history records authorized by this subsection."

SECTION 20.3.(b) G.S. 74C-8.1(a) reads as rewritten:

"(a) Authorization. – Upon receipt of an application for a license, registration, certification, or permit, the Board shall conduct a background investigation to determine whether the applicant meets the requirements for a license, registration, certification, or permit set out in G.S. 74C-8(d). The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide a criminal record check to the Board for a person who has applied for a new or renewal license, registration, certification, or permit through the Board. The Board shall provide to the ~~Department of Public Safety, Bureau,~~ along with the request, the fingerprints of a new applicant, and the ~~Department of Public Safety Bureau~~ shall provide a criminal record check based upon the applicant's fingerprints. The Board may request a criminal record check from the ~~Department of Public Safety Bureau~~ for a renewal applicant based upon the applicant's fingerprints in accordance with policy adopted by the Board. The Board shall provide any additional information required by the ~~Department of Public Safety Bureau~~ and a form signed by the applicant consenting to the check of the criminal record and to the use of the fingerprints and other identifying information required by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to the State Bureau of Investigation used~~ for a search of the State's criminal history record file, and the ~~State Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check. The ~~Department of~~

1 ~~Public Safety Bureau~~ may charge each applicant a fee for conducting the checks of criminal
2 history records authorized by this subsection.

3 The Board may require a new or renewal applicant to obtain a criminal record report from
4 one or more reporting services designated by the Board to provide criminal record reports.
5 Applicants are required to pay the designated reporting service for the cost of these reports."

6 **SECTION 20.3.(c)** G.S. 74D-2.1(a) reads as rewritten:

7 "(a) Authorization. – Upon receipt of an application for a license or registration, the Board
8 shall conduct a background investigation to determine whether the applicant meets the
9 requirements for a license or registration as set out in G.S. 74D-2(d). The ~~Department of Public~~
10 ~~Safety State Bureau of Investigation~~ (Bureau) may provide a criminal record check to the Board
11 for a person who has applied for a new or renewal license or registration through the Board. The
12 Board shall provide to the ~~Department of Public Safety, Bureau,~~ along with the request, the
13 fingerprints of a new applicant, and the ~~Department of Public Safety Bureau~~ shall provide a
14 criminal record check based upon the applicant's fingerprints. The Board may request a criminal
15 record check from the ~~Department of Public Safety Bureau~~ for a renewal applicant based upon
16 the applicant's fingerprints in accordance with policy adopted by the Board. The Board shall
17 provide any additional information required by the ~~Department of Public Safety Bureau~~ and a
18 form signed by the applicant consenting to the check of the criminal record and to the use of the
19 fingerprints and other identifying information required by the State or national repositories. The
20 applicant's fingerprints shall be forwarded to the ~~State Bureau of Investigation~~ used for a search
21 of the State's criminal history record file, and the ~~State Bureau of Investigation~~ shall forward a
22 set of the fingerprints to the Federal Bureau of Investigation for a national criminal history check.
23 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
24 checks of criminal history records authorized by this subsection.

25 The Board may require a new or renewal applicant to obtain a criminal record report from
26 one or more reporting services designated by the Board to provide criminal record reports.
27 Applicants are required to pay the designated reporting service for the cost of these reports."

28 **SECTION 20.3.(d)** G.S. 84-24 reads as rewritten:

29 **"§ 84-24. Admission to practice.**

30 For the purpose of examining applicants and providing rules and regulations for admission
31 to the Bar including the issuance of license therefor, there is hereby created the Board of Law
32 Examiners, which shall consist of 11 members of the Bar, elected by the Council, who need not
33 be members of the Council. No teacher in any law school, however, shall be eligible. The
34 members of the Board of Law Examiners elected from the Bar shall each hold office for a term
35 of three years.

36 The Board of Law Examiners shall elect a member of the Board as chair thereof, and the
37 Board may employ an executive secretary and provide such assistance as may be required to
38 enable the Board to perform its duties promptly and properly. The chair and any employees shall
39 serve for a period of time determined by the Board.

40 The examination shall be held in the manner and at the times as the Board of Law Examiners
41 may determine.

42 The Board of Law Examiners shall have full power and authority to make or cause to be made
43 such examinations and investigations as may be deemed by it necessary to satisfy it that the
44 applicants for admission to the Bar possess the qualifications of character and general fitness
45 requisite for an attorney and counselor-at-law and to this end the Board of Law Examiners shall
46 have the power of subpoena and to summons and examine witnesses under oath and to compel
47 their attendance and the production of books, papers and other documents and writings deemed
48 by it to be necessary or material to the inquiry and shall also have authority to employ and provide
49 assistance as may be required to enable it to perform its duties promptly and properly. Records,
50 papers, and other documents containing information collected and compiled by the Board or its
51 members or employees as a result of investigations, inquiries, or interviews conducted in

1 connection with examinations or licensing matters, are not public records within the meaning of
2 Chapter 132 of the General Statutes.

3 All applicants for admission to the Bar shall be fingerprinted to determine whether the
4 applicant has a record of criminal conviction in this State or in any other state or jurisdiction. The
5 information obtained as a result of the fingerprinting of an applicant shall be limited to the official
6 use of the Board of Law Examiners in determining the character and general fitness of the
7 applicant.

8 The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide a
9 criminal record check to the Board of Law Examiners for a person who has applied for a license
10 through the Board. The Board shall provide to the ~~Department of Public Safety, Bureau,~~ along
11 with the request, the fingerprints of the applicant, any additional information required by the
12 ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant consenting to the check
13 of the criminal record and to the use of the fingerprints and other identifying information required
14 by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to the State~~
15 ~~Bureau of Investigation used~~ for a search of the State's criminal history record file, and the ~~State~~
16 ~~Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of
17 Investigation for a national criminal history check. The Board shall keep all information pursuant
18 to this subsection privileged, in accordance with applicable State law and federal guidelines, and
19 the information shall be confidential and shall not be a public record under Chapter 132 of the
20 General Statutes.

21 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
22 checks of criminal history records authorized by this section.

23 The Board of Law Examiners, subject to the approval of the Council, shall by majority vote,
24 from time to time, make, alter, and amend such rules and regulations for admission to the Bar as
25 in their judgment shall promote the welfare of the State and the profession: Provided, that no
26 change in the educational requirements for admission to the Bar that establishes an additional or
27 greater requirement shall become effective until two years after the date of the adoption of the
28 change.

29 All rules and regulations, and modifications, alterations and amendments thereof, shall be
30 recorded and promulgated as provided in G.S. 84-21 in relation to the certificate of organization
31 and the rules and regulations of the Council.

32 Whenever the Council shall order the restoration of license to any person as authorized by
33 G.S. 84-32, it shall be the duty of the Board of Law Examiners to issue a written license to the
34 person, noting thereon that the license is issued in compliance with an order of the Council,
35 whether the license to practice law was issued by the Board of Law Examiners or the Supreme
36 Court in the first instance.

37 Appeals from the Board shall be had in accordance with rules or procedures as may be
38 approved by the Supreme Court as may be submitted under G.S. 84-21 or as may be promulgated
39 by the Supreme Court."

40 **SECTION 20.3.(e)** G.S. 90D-7(c) reads as rewritten:

41 "(c) The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide
42 a criminal record check to the Board for a person who has applied for a new, provisional, or
43 renewal license through the Board. The Board shall provide to the ~~Department of Public Safety,~~
44 Bureau, along with the request, the fingerprints of the applicant, any additional information
45 required by the ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant
46 consenting to the check of the criminal record and to the use of the fingerprints and other
47 identifying information required by the State or national repositories. The applicant's fingerprints
48 shall be ~~forwarded to the State Bureau of Investigation used~~ for a search of the State's criminal
49 history record file, and the ~~State Bureau of Investigation~~ shall forward a set of the fingerprints to
50 the Federal Bureau of Investigation for a national criminal history check. The Board shall keep
51 all information pursuant to this subdivision privileged, in accordance with applicable State law

1 and federal guidelines, and the information shall be confidential and shall not be a public record
2 under Chapter 132 of the General Statutes.

3 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
4 checks of criminal history records authorized by this subsection."

5 **SECTION 20.3.(f)** G.S. 90-11(b) reads as rewritten:

6 "(b) The ~~Department of Public Safety State Bureau of Investigation (Bureau)~~ may provide
7 a criminal record check to the Board for a person who has applied for a license through the Board.
8 The Board shall provide to the ~~Department of Public Safety, Bureau,~~ along with the request, the
9 fingerprints of the applicant, any additional information required by the ~~Department of Public
10 Safety, Bureau,~~ and a form signed by the applicant consenting to the check of the criminal record
11 and to the use of the fingerprints and other identifying information required by the State or
12 national repositories. The applicant's fingerprints shall be ~~forwarded to the State Bureau of
13 Investigation used~~ for a search of the State's criminal history record file, and the ~~State Bureau of
14 Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of Investigation for a
15 national criminal history check. The Board shall keep all information pursuant to this subsection
16 privileged, in accordance with applicable State law and federal guidelines, and the information
17 shall be confidential and shall not be a public record under Chapter 132 of the General Statutes.

18 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
19 checks of criminal history records authorized by this subsection. The Board has the authority to
20 collect this fee from each applicant and remit it to the ~~Department of Public Safety Bureau.~~"

21 **SECTION 20.3.(g)** G.S. 90-30(b) reads as rewritten:

22 "(b) The ~~Department of Public Safety State Bureau of Investigation (Bureau)~~ may provide
23 a criminal record check to the North Carolina State Board of Dental Examiners for a person who
24 has applied for a license through the Board. The Board shall provide to the ~~Department of Public
25 Safety, Bureau,~~ along with the request, the fingerprints of the applicant, any additional
26 information required by the ~~Department of Public Safety, Bureau,~~ and a form signed by the
27 applicant consenting to the check of the criminal record and to the use of the fingerprints and
28 other identifying information required by the State or national repositories. The applicant's
29 fingerprints shall be ~~forwarded to the State Bureau of Investigation used~~ for a search of the State's
30 criminal history record file, and the ~~State Bureau of Investigation~~ shall forward a set of the
31 fingerprints to the Federal Bureau of Investigation for a national criminal history check. The
32 Board shall keep all information pursuant to this subsection privileged, in accordance with
33 applicable State law and federal guidelines, and the information shall be confidential and shall
34 not be a public record under Chapter 132 of the General Statutes.

35 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
36 checks of criminal history records authorized by this subsection."

37 **SECTION 20.3.(h)** G.S. 90-102.1(d) reads as rewritten:

38 "(d) Criminal Record Check. – The ~~Department of Public Safety State Bureau of
39 Investigation (Bureau)~~ may provide a criminal record check to the Department of Health and
40 Human Services for a person who has applied for a new or renewal registration. The Department
41 of Health and Human Services shall provide to the ~~Department of Public Safety, Bureau,~~ along
42 with the request, the fingerprints of the applicant, any additional information required by the
43 ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant consenting to the check
44 of the criminal record and to the use of the fingerprints and other identifying information required
45 by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to the State
46 Bureau of Investigation used~~ for a search of the State's criminal history record file, and the ~~State
47 Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of
48 Investigation for a national criminal history check. The Department of Health and Human
49 Services shall keep all information pursuant to this subsection privileged, in accordance with
50 applicable State law and federal guidelines, and the information shall be confidential and shall
51 not be a public record under Chapter 132 of the General Statutes. The ~~Department of Public~~

1 ~~Safety Bureau~~ may charge each applicant a fee for conducting the checks of criminal history
2 records authorized by this subsection."

3 **SECTION 20.3.(i)** G.S. 90-210.25(a)(5)h. reads as rewritten:

4 "h. ~~The Department of Public Safety~~ State Bureau of Investigation
5 (Bureau) may provide a criminal record check to the Board for a
6 person who has applied for a new or renewal license, or certification
7 through the Board. The Board shall provide to the ~~Department of~~
8 ~~Public Safety, Bureau,~~ along with the request, the fingerprints of the
9 applicant, any additional information required by the ~~Department of~~
10 ~~Public Safety, Bureau,~~ and a form signed by the applicant consenting
11 to the check of the criminal record and to the use of the fingerprints
12 and other identifying information required by the State or national
13 repositories. The applicant's fingerprints shall be ~~forwarded to the~~
14 ~~State Bureau of Investigation used~~ for a search of the State's criminal
15 history record file, and the ~~State Bureau of Investigation~~ shall forward
16 a set of the fingerprints to the Federal Bureau of Investigation for a
17 national criminal history check. The Board shall keep all information
18 pursuant to this subdivision privileged, in accordance with applicable
19 State law and federal guidelines, and the information shall be
20 confidential and shall not be a public record under Chapter 132 of the
21 General Statutes.

22 The ~~Department of Public Safety~~ Bureau may charge each applicant a fee
23 for conducting the checks of criminal history records authorized by this
24 subdivision."

25 **SECTION 20.3.(j)** G.S. 90-224(c) reads as rewritten:

26 "(c) ~~The Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide
27 a criminal record check to the Board for a person who has applied for a new or renewal license
28 through the Board. The Board shall provide to the ~~Department of Public Safety, Bureau,~~ along
29 with the request, the fingerprints of the applicant, any additional information required by the
30 ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant consenting to the check
31 of the criminal record and to the use of the fingerprints and other identifying information required
32 by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to the State~~
33 ~~Bureau of Investigation used~~ for a search of the State's criminal history record file, and the ~~State~~
34 ~~Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of
35 Investigation for a national criminal history check. The Board shall keep all information pursuant
36 to this subsection privileged, in accordance with applicable State law and federal guidelines, and
37 the information shall be confidential and shall not be a public record under Chapter 132 of the
38 General Statutes.

39 The ~~Department of Public Safety~~ Bureau may charge each applicant a fee for conducting the
40 checks of criminal history records authorized by this subsection."

41 **SECTION 20.3.(k)** G.S. 93A-4(b1) reads as rewritten:

42 "(b1) ~~The Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide
43 a criminal record check to the Commission for a person who has applied for a license through
44 the Commission. The Commission shall provide to the ~~Department of Public Safety, Bureau,~~
45 along with the request, the fingerprints of the applicant, any additional information required by
46 the ~~Department of Public Safety, Bureau,~~ and a form signed by the applicant consenting to the
47 check of the criminal record and to the use of the fingerprints and other identifying information
48 required by the State or national repositories. The applicant's fingerprints shall be ~~forwarded to~~
49 ~~the State Bureau of Investigation used~~ for a search of the State's criminal history record file, and
50 the ~~State Bureau of Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of
51 Investigation for a national criminal history check. The Commission shall keep all information

1 pursuant to this subsection privileged, in accordance with applicable State law and federal
2 guidelines, and the information shall be confidential and shall not be a public record under
3 Chapter 132 of the General Statutes.

4 The ~~Department of Public Safety-Bureau~~ may charge each applicant a fee for conducting the
5 checks of criminal history records authorized by this subsection."

6 **SECTION 20.3.(l)** G.S. 95-47.2(d)(2a) reads as rewritten:

7 "(2a) The ~~Department of Public Safety-State Bureau of Investigation (Bureau)~~ may
8 provide a criminal record check to the Commissioner for a person or agency
9 who has applied for a license through the Commissioner. The Commissioner
10 shall provide to the ~~Department of Public Safety, Bureau,~~ along with the
11 request, the fingerprints of all applicants, any additional information required
12 by the ~~Department of Public Safety, Bureau,~~ and a form signed by the
13 applicants consenting to the check of the criminal record and to the use of the
14 fingerprints and other identifying information required by the State or national
15 repositories. The applicants' fingerprints shall be ~~forwarded to the State~~
16 ~~Bureau of Investigation-used~~ for a search of the State's criminal history record
17 file, and the ~~State Bureau of Investigation~~ shall forward a set of the
18 fingerprints to the Federal Bureau of Investigation for a national criminal
19 history check. The Commissioner shall keep all information pursuant to this
20 subdivision privileged, in accordance with applicable State law and federal
21 guidelines, and the information shall be confidential and shall not be a public
22 record under Chapter 132 of the General Statutes.

23 The ~~Department of Public Safety-Bureau~~ may charge each applicant a fee
24 for conducting the checks of criminal history records authorized by this
25 subdivision."

26 **SECTION 20.3.(m)** G.S. 110-90.2(c) reads as rewritten:

27 "(c) The ~~Department of Public Safety-State Bureau of Investigation~~ shall provide to the
28 Division of Child Development, Department of Health and Human Services, the criminal history
29 from the State and National Repositories of Criminal Histories of any child care provider as
30 requested by the Division.

31 The Division shall provide to the ~~Department of Public Safety, State Bureau of Investigation,~~
32 along with the request, the fingerprints of the provider to be checked, any additional information
33 required by the ~~Department of Public Safety, State Bureau of Investigation,~~ and a form
34 consenting to the check of the criminal record and to the use of fingerprints and other identifying
35 information required by the repositories signed by the child care provider to be checked. The
36 fingerprints of the provider shall be ~~forwarded to the State Bureau of Investigation-used~~ for
37 a search of their criminal history record file and the State Bureau of Investigation shall forward
38 a set of fingerprints to the Federal Bureau of Investigation for a federal criminal history record
39 check.

40 At the time of application the child care provider whose criminal history is to be checked
41 shall be furnished with a statement substantially similar to the following:

42
43 "NOTICE

44
45 CHILD CARE PROVIDER MANDATORY CRIMINAL HISTORY CHECK

46
47 NORTH CAROLINA LAW REQUIRES THAT A CRIMINAL HISTORY RECORD
48 CHECK BE CONDUCTED ON ALL PERSONS WHO PROVIDE CHILD CARE IN A
49 LICENSED CHILD CARE FACILITY, AND ALL PERSONS PROVIDING CHILD CARE IN
50 NONLICENSED CHILD CARE HOMES THAT RECEIVE STATE OR FEDERAL FUNDS.

1 "Criminal history" means a county, state, or federal criminal history of conviction,
2 pending indictment of a crime, or criminal charge, whether a misdemeanor or a felony, that bears
3 on an individual's fitness to have responsibility for the safety and well-being of children. Such
4 crimes include, but are not limited to, the following North Carolina crimes contained in any of
5 the following Articles of Chapter 14 of the General Statutes: Article 6, Homicide; Article 7B,
6 Rape and Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article
7 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article
8 14, Burglary; Article 16, Larceny; Article 17, Robbery; Article 19, False Pretenses and Cheats;
9 Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other
10 Means; Article 19C, Identity Theft; Article 26, Offenses Against Public Morality and Decency;
11 Article 27, Prostitution; Article 29, Bribery; Article 35, Offenses Against the Public Peace;
12 Article 36A, Riots and Civil Disorders; Article 39, Protection of Minors; Article 40, Protection
13 of the Family; and Article 59, Public Intoxication. Such crimes also include cruelty to animals in
14 violation of Article 3 of Chapter 19A of the General Statutes, violation of the North Carolina
15 Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related
16 offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired
17 in violation of G.S. 20-138.1 through G.S. 20-138.5. In addition to the North Carolina crimes
18 listed in this notice, such crimes also include similar crimes under federal law or under the laws
19 of other states. Your fingerprints will be used to check the criminal history records of the State
20 Bureau of Investigation (SBI) and the Federal Bureau of Investigation (FBI).

21 If it is determined, based on your criminal history, that you are unfit to have responsibility
22 for the safety and well-being of children, you shall have the opportunity to complete, or challenge
23 the accuracy of, the information contained in the SBI or FBI identification records.

24 If you disagree with the determination of the North Carolina Department of Health and
25 Human Services on your fitness to provide child care, you may file a civil lawsuit within 60 days
26 after receiving written notification of disqualification in the district court in the county where
27 you live.

28 Any child care provider who intentionally falsifies any information required to be
29 furnished to conduct the criminal history record check shall be guilty of a Class 2 misdemeanor."

30 Refusal to consent to a criminal history record check or intentional falsification of any
31 information required to be furnished to conduct a criminal history record check is grounds for
32 the Department to prohibit the child care provider from providing child care. Any child care
33 provider who intentionally falsifies any information required to be furnished to conduct the
34 criminal history shall be guilty of a Class 2 misdemeanor."

35 **SECTION 20.3.(n)** G.S. 160A-304(a) reads as rewritten:

36 "(a) A city may by ordinance license and regulate all vehicles operated for hire in the city.
37 The ordinance may require that the drivers and operators of taxicabs engaged in the business of
38 transporting passengers for hire over the public streets shall obtain a license or permit from the
39 city; provided, however, that the license or permit fee for taxicab drivers shall not exceed fifteen
40 dollars (\$15.00). As a condition of licensure, the city may require an applicant for licensure to
41 pass a controlled substance examination. The ordinances may also specify the types of taxicab
42 services that are legal in the municipality; provided, that in all cases shared-ride services as well
43 as exclusive-ride services shall be legal. Shared-ride service is defined as a taxi service in which
44 two or more persons with either different origins or with different destinations, or both, occupy
45 a taxicab at one time. Exclusive-ride service is defined as a taxi service in which the first
46 passenger or party requests exclusive use of the taxicab. In the event the applicant is to be
47 subjected to a national criminal history background check, the ordinance shall specifically
48 authorize the use of FBI records. The ordinance shall require any applicant who is subjected to a
49 national criminal history background check to be fingerprinted.

50 The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) may provide a
51 criminal record check to the city for a person who has applied for a license or permit through the

1 city. The city shall provide to the ~~Department of Public Safety, Bureau,~~ along with the request,
 2 the fingerprints of the applicant, any additional information required by the ~~Department of Public~~
 3 ~~Safety, Bureau,~~ and a form signed by the applicant consenting to the check of the criminal record
 4 and to the use of the fingerprints and other identifying information required by the State or
 5 national repositories. The applicant's fingerprints shall be ~~forwarded to the State Bureau of~~
 6 ~~Investigation used~~ for a search of the State's criminal history record file, and the ~~State Bureau of~~
 7 ~~Investigation~~ shall forward a set of the fingerprints to the Federal Bureau of Investigation for a
 8 national criminal history check. The city shall keep all information pursuant to this subsection
 9 privileged, in accordance with applicable State law and federal guidelines, and the information
 10 shall be confidential and shall not be a public record under Chapter 132 of the General Statutes.

11 The ~~Department of Public Safety Bureau~~ may charge each applicant a fee for conducting the
 12 checks of criminal history records authorized by this subsection.

13 ~~The~~ Any of the following factors shall be deemed sufficient grounds for refusing to issue a
 14 permit or for revoking a permit already issued:

- 15 (1) Conviction of a felony against this State, or conviction of any offense against
 16 another state which would have been a felony if committed in this ~~State;~~ State.
- 17 (2) Violation of any federal or State law relating to the use, possession, or sale of
 18 alcoholic beverages or narcotic or barbiturate ~~drugs;~~ drugs.
- 19 (3) Addiction to or habitual use of alcoholic beverages or narcotic or barbiturate
 20 ~~drugs;~~ drugs.
- 21 (4) Violation of any federal or State law relating to ~~prostitution;~~ prostitution.
- 22 (5) Noncitizenship in the United ~~States;~~ States.
- 23 (6) Habitual violation of traffic laws or ordinances.

24 The ordinance may also require operators and drivers of taxicabs to display prominently in each
 25 taxicab, so as to be visible to the passengers, the city taxi permit, the schedule of fares, a
 26 photograph of the driver, and any other identifying matter that the council may deem proper and
 27 advisable. The ordinance may also establish rates that may be charged by taxicab operators, may
 28 limit the number of taxis that may operate in the city, and may grant franchises to taxicab
 29 operators on any terms that the council may deem advisable."

30 **SECTION 20.3.(o)** Article 27A of Chapter 14 of the General Statutes reads as
 31 rewritten:

32 "Article 27A.

33 "Sex Offender and Public Protection Registration Programs.

34 "Part 1. Registration Programs, Purpose and Definitions Generally.

35 ...

36 "**§ 14-208.6. Definitions.**

37 The following definitions apply in this Article:

- 38 (1a) Aggravated offense. – Any criminal offense that includes either of the
 39 following: (i) engaging in a sexual act involving vaginal, anal, or oral
 40 penetration with a victim of any age through the use of force or the threat of
 41 serious violence; or (ii) engaging in a sexual act involving vaginal, anal, or
 42 oral penetration with a victim who is less than 12 years old.
- 43 (1b) Bureau. – The State Bureau of Investigation.
- 44 ~~(1b)~~(1c) County registry. – The information compiled by the sheriff of a county in
 45 compliance with this Article.
- 46 ~~(1e)~~ Department. – The Department of Public Safety.
- 47 ...
- 48 (8) Statewide registry. – The central registry compiled by the ~~Department Bureau~~
 49 in accordance with G.S. 14-208.14.

- 1 (9) Student. – A person who is enrolled on a full-time or part-time basis, in any
2 postsecondary public or private educational institution, including any trade or
3 professional institution, or other institution of higher education.

4 ...
5 **"§ 14-208.7. Registration.**

6 ...
7 (b) ~~The Department of Public Safety Bureau~~ shall provide each sheriff with forms for
8 registering persons as required by this Article. The registration form shall require all of the
9 following:

- 10 (1) The person's full name, each alias, date of birth, sex, race, height, weight, eye
11 color, hair color, drivers license number, and home address.
12 (1a) A statement indicating what the person's name was at the time of the
13 conviction for the offense that requires registration; what alias, if any, the
14 person was using at the time of the conviction of that offense; and the name
15 of the person as it appears on the judgment imposing the sentence on the
16 person for the conviction of the offense.
17 (2) The type of offense for which the person was convicted, the date of conviction,
18 and the sentence imposed.
19 (3) A current photograph taken by the sheriff, without charge, at the time of
20 registration.
21 (4) The person's fingerprints taken by the sheriff, without charge, at the time of
22 registration.
23 (5) A statement indicating whether the person is a student or expects to enroll as
24 a student within a year of registering. If the person is a student or expects to
25 enroll as a student within a year of registration, then the registration form shall
26 also require the name and address of the educational institution at which the
27 person is a student or expects to enroll as a student.
28 (6) A statement indicating whether the person is employed or expects to be
29 employed at an institution of higher education within a year of registering. If
30 the person is employed or expects to be employed at an institution of higher
31 education within a year of registration, then the registration form shall also
32 require the name and address of the educational institution at which the person
33 is or expects to be employed.
34 (7) Any online identifier that the person uses or intends to use.

35 (c) When a person registers, the sheriff with whom the person registered shall
36 immediately send the registration information to the ~~Department of Public Safety Bureau~~ in a
37 manner determined by the ~~Department of Public Safety Bureau~~. The sheriff shall retain the
38 original registration form and other information collected and shall compile the information that
39 is a public record under this Part into a county registry.

40 ...
41 **"§ 14-208.8. Prerelease notification.**

42 (a) At least 10 days, but not earlier than 30 days, before a person who will be subject to
43 registration under this Article is due to be released from a penal institution, an official of the
44 penal institution shall do all of the following:

- 45 (1) Inform the person of the person's duty to register under this Article and require
46 the person to sign a written statement that the person was so informed or, if
47 the person refuses to sign the statement, certify that the person was so
48 informed.
49 (2) Obtain the registration information required under G.S. 14-208.7(b)(1), (2),
50 (5), (6), and (7), as well as the address where the person expects to reside upon
51 the person's release.

- 1 (3) Send the ~~Department of Public Safety Bureau~~ and the sheriff of the county in
2 which the person expects to reside the information collected in accordance
3 with subdivision (2) of this subsection.
4 ...

5 **"§ 14-208.8A. Notification requirement for out-of-county employment if temporary**
6 **residence established.**

7 ...
8 (c) Notice to ~~Department of Public Safety, the Bureau.~~ – Upon receiving the notice
9 required under subsection (a) of this section, the sheriff shall immediately forward the
10 information to the ~~Department of Public Safety, Bureau.~~ The ~~Department of Public Safety Bureau~~
11 shall notify the sheriff of the county where the person is working and maintaining a temporary
12 residence of the person's place of employment and temporary address in that county.

13 **"§ 14-208.9. Change of address; change of academic status or educational employment**
14 **status; change of online identifier; change of name.**

15 (a) If a person required to register changes address, the person shall report in person and
16 provide written notice of the new address not later than the third business day after the change to
17 the sheriff of the county with whom the person had last registered. If the person moves to another
18 county, the person shall also report in person to the sheriff of the new county and provide written
19 notice of the person's address not later than the tenth day after the change of address. Upon receipt
20 of the notice, the sheriff shall immediately forward this information to the ~~Department of Public~~
21 ~~Safety, Bureau.~~ When the ~~Department of Public Safety Bureau~~ receives notice from a sheriff that
22 a person required to register is moving to another county in the State, the ~~Department of Public~~
23 ~~Safety Bureau~~ shall inform the sheriff of the new county of the person's new residence.

24 (b) If a person required to register intends to move to another state, the person shall report
25 in person to the sheriff of the county of current residence at least three business days before the
26 date the person intends to leave this State to establish residence in another state or jurisdiction.
27 The person shall provide to the sheriff a written notification that includes all of the following
28 information: the address, municipality, county, and state of intended residence.

- 29 (1) If it appears to the sheriff that the record photograph of the sex offender no
30 longer provides a true and accurate likeness of the sex offender, then the
31 sheriff shall take a photograph of the offender to update the registration.

- 32 (2) The sheriff shall inform the person that the person must comply with the
33 registration requirements in the new state of residence. The sheriff shall also
34 immediately forward the information included in the notification to the
35 ~~Department of Public Safety, Bureau,~~ and the ~~Department of Public Safety~~
36 ~~Bureau~~ shall inform the appropriate state official in the state to which the
37 registrant moves of the person's notification and new address.

38 (b1) A person who indicates his or her intent to reside in another state or jurisdiction and
39 later decides to remain in this State shall, within three business days after the date upon which
40 the person indicated he or she would leave this State, report in person to the sheriff's office to
41 which the person reported the intended change of residence, of his or her intent to remain in this
42 State. If the sheriff is notified by the sexual offender that he or she intends to remain in this State,
43 the sheriff shall promptly report this information to the ~~Department of Public Safety, Bureau.~~

44 (c) If a person required to register changes his or her academic status either by enrolling
45 as a student or by terminating enrollment as a student, then the person shall, within three business
46 days, report in person to the sheriff of the county with whom the person registered and provide
47 written notice of the person's new status. The written notice shall include the name and address
48 of the institution of higher education at which the student is or was enrolled. The sheriff shall
49 immediately forward this information to the ~~Department of Public Safety, Bureau.~~

50 (d) If a person required to register changes his or her employment status either by
51 obtaining employment at an institution of higher education or by terminating employment at an

1 institution of higher education, then the person shall, within three business days, report in person
2 to the sheriff of the county with whom the person registered and provide written notice of the
3 person's new status not later than the tenth day after the change to the sheriff of the county with
4 whom the person registered. The written notice shall include the name and address of the
5 institution of higher education at which the person is or was employed. The sheriff shall
6 immediately forward this information to the ~~Department of Public Safety Bureau.~~

7 (e) If a person required to register changes an online identifier, or obtains a new online
8 identifier, then the person shall, within 10 days, report in person to the sheriff of the county with
9 whom the person registered to provide the new or changed online identifier information to the
10 sheriff. The sheriff shall immediately forward this information to the ~~Department of Public
11 Safety Bureau.~~

12 (f) If a person required to register changes his or her name pursuant to Chapter 101 of
13 the General Statutes or by any other method, then the person shall, within three business days,
14 report in person to the sheriff of the county with whom the person registered to provide the name
15 change to the sheriff. The sheriff shall immediately forward this information to the ~~Department
16 of Public Safety Bureau.~~

17 **"§ 14-208.9A. Verification of registration information.**

18 (a) The information in the county registry shall be verified semiannually for each
19 registrant as follows:

- 20 (1) Every year on the anniversary of a person's initial registration date, and again
21 six months after that date, the ~~Department of Public Safety Bureau~~ shall mail
22 a nonforwardable verification form to the last reported address of the person.

23 ...

24 **"§ 14-208.12A. Request for termination of registration requirement.**

25 ...

26 (a3) If the court denies the petition, the person may again petition the court for relief in
27 accordance with this section one year from the date of the denial of the original petition to
28 terminate the registration requirement. If the court grants the petition to terminate the registration
29 requirement, the clerk of court shall forward a certified copy of the order to the ~~Department of
30 Public Safety Bureau~~ to have the person's name removed from the registry.

31 ...

32 **"§ 14-208.12B. Registration requirement review.**

33 ...

34 (i) No sheriff, or employee of a sheriffs' office, district attorney's office, or the ~~North
35 Carolina State Bureau of Investigation~~ shall incur any civil or criminal liability under North
36 Carolina law as the result of the performance of official duties under this Article.

37 **"§ 14-208.13. File with Criminal Information Network.**

38 (a) The ~~Department of Public Safety Bureau~~ shall include the registration information in
39 the ~~Criminal Information Network~~ Division of Criminal Information as set forth in
40 ~~G.S. 143B-905~~ G.S. 143B-1208.19.

41 (b) The ~~Department of Public Safety Bureau~~ shall maintain the registration information
42 permanently even after the registrant's reporting requirement expires.

43 **"§ 14-208.14. Statewide registry; ~~Department of Public Safety State Bureau of
44 Investigation~~ designated custodian of statewide registry.**

45 (a) The ~~Department of Public Safety Bureau~~ shall compile and keep current a central
46 statewide sex offender registry. The ~~Department Bureau~~ is the State agency designated as the
47 custodian of the statewide registry. As custodian the ~~Department Bureau~~ has the following
48 responsibilities:

- 49 (1) To receive from the sheriff or any other law enforcement agency or penal
50 institution all sex offender registrations, changes of address, changes of
51 academic or educational employment status, and prerelease notifications

1 required under this Article or under federal law. The ~~Department~~Bureau shall
2 also receive notices of any violation of this Article, including a failure to
3 register or a failure to report a change of address.

4 (2) To provide all need-to-know law enforcement agencies (local, State, campus,
5 federal, and those located in other states) immediately upon receipt by the
6 ~~Department~~Bureau of any of the following: registration information, a
7 prerelease notification, a change of address, a change of academic or
8 educational employment status, or notice of a violation of this Article.

9 (2a) To notify the appropriate law enforcement unit at an institution of higher
10 education as soon as possible upon receipt by the ~~Department~~Bureau of
11 relevant information based on registration information or notice of a change
12 of academic or educational employment status. If an institution of higher
13 education does not have a law enforcement unit, then the ~~Department~~Bureau
14 shall provide the information to the local law enforcement agency that has
15 jurisdiction for the campus.

16 ...

17 **"§ 14-208.15. Certain statewide registry information is public record: access to statewide**
18 **registry.**

19 (a) The information in the statewide registry that is public record is the same as in
20 G.S. 14-208.10. The ~~Department of Public Safety~~Bureau shall release any other relevant
21 information that is necessary to protect the public concerning a specific person, but shall not
22 release the identity of the victim of the offense that required registration under this Article.

23 (b) The ~~Department of Public Safety~~Bureau shall provide free public access to automated
24 data from the statewide registry, including photographs provided by the registering sheriffs, via
25 the Internet. The public will be able to access the statewide registry to view an individual
26 registration record, a part of the statewide registry, or all of the statewide registry. The
27 ~~Department of Public Safety~~Bureau may also provide copies of registry information to the public
28 upon written request and may charge a reasonable fee for duplicating costs and mailings costs.

29 (c) Upon request of an institution of higher education, the Sheriff of the county in which
30 the educational institution is located shall provide a report containing the registry information for
31 any registrant who has stated that the registrant is a student or employee, or expects to become a
32 student or employee, of that institution of higher education. The ~~Department of Public Safety~~Bureau
33 shall provide each sheriff with the ability to generate the report from the statewide
34 registry. The report shall be provided electronically without charge. The institution of higher
35 education may receive a written report upon payment of reasonable duplicating costs and mailing
36 costs.

37 **"§ 14-208.15A. Release of online identifiers to entity; fee.**

38 (a) The ~~Department of Public Safety~~Bureau may release registry information regarding
39 a registered offender's online identifier to an entity for the purpose of allowing the entity to
40 prescreen users or to compare the online identifier information with information held by the entity
41 as provided by this section.

42 (b) An entity desiring to prescreen its users or compare its database of registered users to
43 the list of online identifiers of persons in the statewide registry may apply to the ~~Department of~~
44 ~~Public Safety~~Bureau to access the information. An entity that complies with the criteria
45 developed by the ~~Department of Public Safety~~Bureau regarding the release and use of the online
46 identifier information and pays the fee may screen new users or compare its database of registered
47 users to the list of online identifiers of persons in the statewide registry as frequently as the
48 ~~Department of Public Safety~~Bureau may allow for the purpose of identifying a registered user
49 associated with an online identifier contained in the statewide registry.

50 (c) The ~~Department of Public Safety~~Bureau may charge an entity that submits a request
51 for the online identifiers of persons in the statewide registry an annual fee of one hundred dollars

1 (\$100.00). Fees collected under this section shall be credited to the ~~Department of Public Safety~~
 2 Bureau and applied to the cost of providing this service.

3 (d) The ~~Department of Public Safety~~ Bureau shall develop standards regarding the release
 4 and use of online identifier information. The standards shall include a requirement that the
 5 information obtained from the statewide registry shall not be disclosed for any purpose other than
 6 for prescreening its users or comparing the database of registered users of the entity against the
 7 list of online identifiers of persons in the statewide registry.

8 ...
 9 **"§ 14-208.22. Additional registration information required.**

10 ...
 11 (b) The ~~Department of Public Safety~~ Bureau shall provide each sheriff with forms for
 12 registering persons as required by this Article.

13 ...
 14 **"§ 14-208.27. Change of address.**

15 If a juvenile who is adjudicated delinquent and required to register changes address, the
 16 juvenile court counselor for the juvenile shall provide written notice of the new address not later
 17 than the third business day after the change to the sheriff of the county with whom the juvenile
 18 had last registered. Upon receipt of the notice, the sheriff shall immediately forward this
 19 information to the ~~Department of Public Safety~~ Bureau. If the juvenile moves to another county
 20 in this State, the ~~Department of Public Safety~~ Bureau shall inform the sheriff of the new county
 21 of the juvenile's new residence.

22 ...
 23 **"§ 14-208.31. File with Criminal Information Network.**

24 (a) The ~~Department of Public Safety~~ Bureau shall include the registration information in
 25 the ~~Criminal Information Network~~ Division of Criminal Information as set forth in
 26 ~~G.S. 143B-905~~ G.S. 143B-1208.19.

27 (b) The ~~Department of Public Safety~~ Bureau shall maintain the registration information
 28 permanently even after the registrant's reporting requirement expires; however, the records shall
 29 remain confidential in accordance with Article 32 of Chapter 7B of the General Statutes.
 30"

31 **SECTION 20.3.(p)** The following sections of the General Statutes are recodified as
 32 follows:

| <u>Former Citation</u> | <u>Recodified Citation</u> |
|------------------------|----------------------------|
| 143B-901 | 143B-1208.15 |
| 143B-902 | 143B-1208.16 |
| 143B-903 | 143B-1208.17 |
| 143B-904 | 143B-1208.18 |
| 143B-905 | 143B-1208.19 |

39 **SECTION 20.3.(q)** G.S. 143B-1208.15, as recodified under subsection (p) of this
 40 section, reads as rewritten:

41 **"§ 143B-1208.15. Reporting system and database on certain domestic-violence-related**
 42 **homicides; reports by law enforcement agencies required; annual report to the**
 43 **General Assembly.**

44 The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau), in consultation
 45 with the North Carolina Council for Women/Domestic Violence Commission, the North Carolina
 46 Sheriffs' Association, and the North Carolina Association of Chiefs of Police, shall develop a
 47 reporting system and database that reflects the number of homicides in the State where the
 48 offender and the victim had a personal relationship, as defined by G.S. 50B-1(b). The information
 49 in the database shall also include the type of personal relationship that existed between the
 50 offender and the victim, whether the victim had obtained an order pursuant to G.S. 50B-3, and
 51 whether there was a pending charge for which the offender was on pretrial release pursuant to

1 G.S. 15A-534.1. All State and local law enforcement agencies shall report information to the
 2 ~~Department of Public Safety Bureau~~ upon making a determination that a homicide meets the
 3 reporting system's criteria. The report shall be made in the format adopted by the ~~Department of~~
 4 ~~Public Safety Bureau~~. The ~~Department of Public Safety Bureau~~ shall report to the chairs of the
 5 Joint Legislative Oversight Committee on Justice and Public Safety, no later than April 1 of each
 6 year, with the data collected for the previous calendar year."

7 **SECTION 20.3.(r)** G.S. 143B-1208.16, as recodified under subsection (p) of this
 8 section, reads as rewritten:

9 "**§ 143B-1208.16. Powers and duties of the ~~Department of Public Safety State Bureau of~~**
 10 **Investigation with respect to criminal information.**

11 In addition to its other duties, it shall be the duty of the ~~Department of Public Safety State~~
 12 ~~Bureau of Investigation (Bureau)~~ to do all of the following:

13 ...

14 (2) To collect, correlate, and maintain access to information that will assist in the
 15 performance of duties required in the administration of criminal justice
 16 throughout the State. This information may include, but is not limited to,
 17 motor vehicle registration, drivers' licenses, wanted and missing persons,
 18 stolen property, warrants, stolen vehicles, firearms registration, sexual
 19 offender registration as provided under Article 27A of Chapter 14 of the
 20 General Statutes, drugs, drug users and parole and probation histories. In
 21 performing this function, the ~~Division Bureau~~ may arrange to use information
 22 available in other agencies and units of State, local and federal government,
 23 but shall provide security measures to insure that such information shall be
 24 made available only to those whose duties, relating to the administration of
 25 justice, require such information.

26 ...

27 (4) To perform all the duties heretofore imposed by law upon the ~~Attorney~~
 28 ~~General Bureau~~ with respect to criminal statistics.

29 ...

30 (6) To promulgate rules and regulations for the administration of ~~this Article the~~
 31 ~~duties set forth in this section.~~"

32 **SECTION 20.3.(s)** G.S. 143B-1208.17, as recodified under subsection (p) of this
 33 section, reads as rewritten:

34 "**§ 143B-1208.17. Collection of traffic law enforcement statistics.**

35 (a) In addition to its other duties, the ~~Department of Public Safety State Bureau of~~
 36 ~~Investigation (Bureau)~~ shall collect, correlate, and maintain the following information regarding
 37 traffic law enforcement by law enforcement officers:

38 ...

39 (d) Each law enforcement officer making a stop covered by subdivision (1) of subsection
 40 (a) of this section shall be assigned an anonymous identification number by the officer's
 41 employing agency. The anonymous identifying number shall be public record and shall be
 42 reported to the ~~Department Bureau~~ to be correlated along with the data collected under subsection
 43 (a) of this section. The correlation between the identification numbers and the names of the
 44 officers shall not be a public record, and shall not be disclosed by the agency except when
 45 required by order of a court of competent jurisdiction to resolve a claim or defense properly
 46 before the court.

47 (e) Any agency subject to the requirements of this section shall submit information
 48 collected under subsection (a) of this section to the ~~Department Bureau~~ within 60 days of the
 49 close of each month. Any agency that does not submit the information as required by this
 50 subsection shall be ineligible to receive any law enforcement grants available by or through the
 51 State until the information which is reasonably available is submitted.

1 (f) The ~~Department~~ Bureau shall publish and distribute by December 1 of each year a list
2 indicating the law enforcement officers that will be subject to the provisions of this section during
3 the calendar year commencing on the following January 1."

4 **SECTION 20.3.(t)** G.S. 143B-1208.18, as recodified under subsection (p) of this
5 section, reads as rewritten:

6 "**§ 143B-1208.18. Collection of statistics on the use of deadly force by law enforcement**
7 **officers.**

8 (a) In addition to its other duties, the ~~Department of Public Safety~~ State Bureau of
9 Investigation shall collect, maintain, and annually publish the number of deaths, by law
10 enforcement agency, resulting from the use of deadly force by law enforcement officers in the
11 course and scope of their official duties.

12"

13 **SECTION 20.3.(u)** G.S. 143B-1208.19, as recodified under subsection (p) of this
14 section, reads as rewritten:

15 "**§ 143B-1208.19. ~~Criminal Information Network.~~Division of Criminal Information.**

16 (a) The ~~Department of Public Safety~~ State Bureau of Investigation (Bureau) is authorized
17 to establish, devise, maintain and operate a system for receiving and disseminating to
18 participating agencies information collected, maintained and correlated under authority of
19 ~~G.S. 143B-902.~~ G.S. 143B-1208.16. The system shall be known as the ~~Criminal Information~~
20 Network. Division of Criminal Information (DCI).

21 (b) The ~~Department of Public Safety~~ Bureau is authorized to cooperate with the Division
22 of Motor Vehicles, Department of Administration, and other State, local and federal agencies and
23 organizations in carrying out the purpose and intent of this section, and to utilize, in cooperation
24 with other State agencies and to the extent as may be practical, computers and related equipment
25 as may be operated by other State agencies.

26 (c) The ~~Department of Public Safety,~~ Bureau, after consultation with participating
27 agencies, shall adopt rules and regulations governing the organization and administration of the
28 ~~Criminal Information Network,~~ DCI, including rules and regulations governing the types of
29 information relating to the administration of criminal justice to be entered into the system, and
30 who shall have access to such information. The rules and regulations governing access to the
31 ~~Criminal Information Network~~ DCI shall not prohibit an attorney who has entered a criminal
32 proceeding in accordance with G.S. 15A-141 from obtaining information relevant to that
33 criminal proceeding. The rules and regulations governing access to the ~~Criminal Information~~
34 Network DCI shall not prohibit an attorney who represents a person in adjudicatory or
35 dispositional proceedings for an infraction from obtaining the person's driving record or criminal
36 history.

37 (d) The ~~Department~~ Bureau may impose monthly fees on participating agencies. The
38 monthly fees collected under this subsection shall be used to offset the cost of operating and
39 maintaining the ~~Criminal Information Network.~~ DCI. The fee amount varies depending upon the
40 type of device. For a desktop device, the monthly fee is twenty-five dollars (\$25.00) per device.
41 For a mobile device, the fee is twelve dollars (\$12.00) per device.

42 (1) ~~The Department may impose a monthly circuit fee on agencies that access the~~
43 ~~Criminal Information Network through a circuit maintained and operated by~~
44 ~~the Department of Public Safety. The amount of the monthly fee is three~~
45 ~~hundred dollars (\$300.00) plus an additional fee amount for each device~~
46 ~~linked to the Network. The additional fee amount varies depending upon the~~
47 ~~type of device. For a desktop device after the first seven desktop devices, the~~
48 ~~additional monthly fee is twenty five dollars (\$25.00) per device. For a mobile~~
49 ~~device, the additional monthly fee is twelve dollars (\$12.00) per device.~~

50 (2) ~~The Department may impose a monthly device fee on agencies that access the~~
51 ~~Criminal Information Network through some other approved means. The~~

1 amount of the monthly device fee varies depending upon the type of device.
2 For a desktop device, the monthly fee is twenty five dollars (\$25.00) per
3 device. For a mobile device, the fee is twelve dollars (\$12.00) per device."

4 **SECTION 20.3.(v)** G.S. 143B-393(a)(9) reads as rewritten:

5 "(9) Consult with the Department of Public Safety on a reporting system and
6 database on certain domestic violence-related homicides, as provided in
7 G.S. 143B-903-G.S. 143B-1208.17."

8 **SECTION 20.3.(w)** G.S. 14-415.27 reads as rewritten:

9 **"§ 14-415.27. Expanded permit scope for certain persons.**

10 Notwithstanding G.S. 14-415.11(c), any of the following persons who has a concealed
11 handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24
12 is not subject to the area prohibitions set out in G.S. 14-415.11(c) and may carry a concealed
13 handgun in the areas listed in G.S. 14-415.11(c) unless otherwise prohibited by federal law:

14 ...

15 (8) A person employed by the Department of Public Safety who has been
16 designated in writing by the Secretary of the Department and who has in the
17 person's possession written proof of the designation.

18 (8a) A person employed by the State Bureau of Investigation who has been
19 designated in writing by the Director of the Bureau and who has in the person's
20 possession written proof of the designation.

21"

22 **SECTION 20.3.(x)** Section 38.4(a) of S.L. 2023-134, as amended by Section 7.1 of
23 S.L. 2024-1 and Section 3E.1 of S.L. 2024-57, reads as rewritten:

24 **"SECTION 38.4.(a)** In accordance with G.S. 143B-1325(c)(13), and notwithstanding any
25 other provision of Article 15 of Chapter 143B of the General Statutes to the contrary, the State
26 Highway Patrol, ~~the State Bureau of Investigation, Patrol~~ and the Division of Emergency
27 Management within the Department of Public Safety shall continue to be entirely exempt from
28 any and all information technology oversight by the Department of Public Safety and the
29 Department of Information Technology. The State Highway Patrol, ~~the State Bureau of~~
30 ~~Investigation, Patrol~~ and the Division of Emergency Management shall initiate a pilot project
31 where those agencies shall be deemed as separate, stand-alone entities in all matters related to
32 information technology, and each shall autonomously manage their own respective information
33 technology infrastructure and all associated services without oversight from the Department of
34 Information Technology or the Department of Public Safety. Exemption from information
35 technology oversight includes, but is not limited to, the following:

36"

37 **SECTION 20.3.(y)** G.S. 20-49 reads as rewritten:

38 **"§ 20-49. Police authority of Division.**

39 All members of the Highway Patrol and law enforcement officers of the Department of Public
40 Safety and the State Bureau of Investigation shall have the power:

41"

42 **SECTION 20.3.(z)** G.S. 148-37.3(c) reads as rewritten:

43 "(c) Any private corporation described in subsection (a) of this section shall reimburse the
44 State and any county or other law enforcement agency for the full cost of any additional expenses
45 incurred by the State or the county or other law enforcement agency in connection with the
46 pursuit and apprehension of an escaped inmate from the facility.

47 In the event of an escape from the facility, any private corporation described in subsection
48 (a) of this section shall immediately notify the sheriff in the county in which the facility is located,
49 who shall cause an immediate entry into the ~~Department of Public Safety's Criminal Information~~
50 ~~Network~~ Division of Criminal Information established under G.S. 143B-1208.19. The sheriff of

1 the county in which the facility is located shall be the lead law enforcement officer in connection
2 with the pursuit and apprehension of an escaped inmate from the facility."

3 **SECTION 20.3.(aa)** This section is effective when it becomes law and applies to
4 reports submitted, applications and requests received, and fees collected on or after that date.

5
6 **SBI/WORKERS' COMPENSATION FOR RESERVE LAW ENFORCEMENT**
7 **OFFICERS**

8 **SECTION 20.4.** G.S. 143B-1208.13 reads as rewritten:

9 "**§ 143B-1208.13. Personnel of the State Bureau of Investigation.**

10 The Director of the State Bureau of Investigation may appoint a sufficient number of
11 assistants who shall be competent and qualified to do the work of the Bureau. The Director shall
12 be responsible for making all hiring and personnel decisions of the Bureau. Persons serving as
13 reserve law enforcement officers of the Bureau are considered employees of the Bureau for
14 workers' compensation purposes while performing duties assigned or approved by the Director
15 of the Bureau or the Director's designee."

16
17 **EXTEND REVERSION DATE OF SCHOOL SAFETY FUNDS**

18 **SECTION 20.5.(a)** Section 7.36 of S.L. 2023-134, as amended by Sections 3J.12
19 and 3J.17(h) of S.L. 2024-57, reads as rewritten:

20 "...

21 "**SECTION 7.36.(I)** Nonrevert. – Notwithstanding any provision of law to the contrary, the
22 nonrecurring funds appropriated to the Department of Public Instruction in the 2022-2023 fiscal
23 year for the 2021-2023 School Safety Grants Program under Section 7.19 of S.L. 2021-180 and
24 the nonrecurring funds appropriated by this act for the 2023-2025 School Safety Grants Program
25 shall not revert to the General Fund but shall remain available for the purposes for which they
26 were appropriated until June 30, ~~2025~~2027.

27"

28 **SECTION 20.5.(b)** This section becomes effective June 30, 2025.

29
30 **ADJUST USER FEE FOR DIVISION OF CRIMINAL INFORMATION**

31 **SECTION 20.6.(a)** G.S. 143B-1208.19(d), as recodified and amended under Section
32 20.3 of this act, reads as rewritten:

33 "(d) The Bureau may impose monthly fees on participating agencies. The monthly fees
34 collected under this subsection shall be used to offset the cost of operating and maintaining the
35 DCI. The fee amount varies depending upon the type of device. For a desktop device, the monthly
36 fee is ~~twenty-five~~ ~~thirty-three~~ dollars ~~(\$25.00)~~ ~~(\$33.00)~~ per device. For a mobile device, the fee
37 is ~~twelve~~ ~~twenty~~ dollars ~~(\$12.00)~~ ~~(\$20.00)~~ per device."

38 **SECTION 20.6.(b)** This section becomes effective July 1, 2025, and applies to fees
39 levied on or after that date.

40
41 **SCHOOL SAFETY GRANTS**

42 **SECTION 20.7.(a)** Definitions. – For the purposes of this section, the following
43 definitions shall apply:

- 44 (1) Community partner. – A public or private entity, including, but not limited to,
45 a nonprofit corporation or a local management entity/managed care
46 organization (LME/MCO), that partners with a public school unit to provide
47 services or pay for the provision of services for the unit.
- 48 (2) School health support personnel. – School psychologists, school counselors,
49 school nurses, and school social workers.

50 **SECTION 20.7.(b)** Program; Purpose. – The Executive Director of the Center for
51 Safer Schools shall establish the School Safety Grants Program (Program) for the 2025-2027

1 fiscal biennium. The purpose of the Program shall be to improve safety in public school units by
2 providing grants in each fiscal year of the 2025-2027 fiscal biennium for (i) services for students
3 in crisis, (ii) school safety training, (iii) safety equipment in schools, and (iv) subsidizing the
4 School Resource Officer Grants Program.

5 **SECTION 20.7.(c)** Grant Applications. – A public school unit may submit an
6 application to the Executive Director of the Center for Safer Schools for one or more grants
7 pursuant to this section in each year of the 2025-2027 fiscal biennium. The application shall
8 include an assessment, to be performed in conjunction with a local law enforcement agency, of
9 the need for improving school safety within the public school unit that would receive the funding
10 or services. The application shall identify current and ongoing needs and estimated costs
11 associated with those needs.

12 **SECTION 20.7.(d)** Criteria and Guidelines. – The Executive Director of the Center
13 for Safer Schools shall develop criteria and guidelines for the administration and use of the grants
14 pursuant to this section, including any documentation required to be submitted by applicants. In
15 assessing grant applications, the Executive Director shall consider at least all of the following
16 factors:

- 17 (1) The level of resources available to the public school unit that would receive
18 the funding.
- 19 (2) Whether the public school unit has received other grants for school safety.
- 20 (3) The overall impact on student safety in the public school unit if the identified
21 needs are funded.

22 **SECTION 20.7.(e)** Grants for Students in Crisis. – Of the funds appropriated by this
23 act for the grants provided in this section, the Executive Director of the Center for Safer Schools,
24 in consultation with the Department of Health and Human Services, shall award grants to public
25 school units to contract with community partners to provide or pay for the provision of any of
26 the following crisis services:

- 27 (1) Crisis respite services for parents or guardians of an individual student to
28 prevent more intensive or costly levels of care.
- 29 (2) Training and expanded services for therapeutic foster care families and
30 licensed child placement agencies that provide services to students who (i)
31 need support to manage their health, welfare, and safety and (ii) have any of
32 the following:
 - 33 a. Cognitive or behavioral problems.
 - 34 b. Developmental delays.
 - 35 c. Aggressive behavior.
- 36 (3) Evidence-based therapy services aligned with targeted training for students
37 and their parents or guardians, including any of the following:
 - 38 a. Parent-child interaction therapy.
 - 39 b. Trauma-focused cognitive behavioral therapy.
 - 40 c. Dialectical behavior therapy.
 - 41 d. Child-parent psychotherapy.
- 42 (4) Any other crisis service, including peer-to-peer mentoring, that is likely to
43 increase school safety. Of the funds appropriated by this act for the grants
44 provided in this section, the Executive Director shall use no more than three
45 hundred fifty thousand dollars (\$350,000) in each fiscal year of the 2025-2027
46 fiscal biennium for the services identified in this subdivision.

47 **SECTION 20.7.(f)** Grants for Training to Increase School Safety. – Of the funds
48 appropriated by this act for the grants provided in this section, the Executive Director of the
49 Center for Safer Schools, in consultation with the Department of Health and Human Services,
50 shall award grants to public school units to contract with community partners to address school

1 safety by providing training to help students develop healthy responses to trauma and stress. The
2 training shall be targeted and evidence-based and shall include any of the following services:

- 3 (1) Counseling on Access to Lethal Means (CALM) training for school health
4 support personnel, local first responders, and teachers on the topics of suicide
5 prevention and reducing access by students to lethal means.
- 6 (2) Training for school health support personnel on comprehensive and
7 evidence-based clinical treatments for students and their parents or guardians,
8 including any of the following:
 - 9 a. Parent-child interaction therapy.
 - 10 b. Trauma-focused cognitive behavioral therapy.
 - 11 c. Behavioral therapy.
 - 12 d. Dialectical behavior therapy.
 - 13 e. Child-parent psychotherapy.
- 14 (3) Training for students and school employees on community resilience models
15 to improve understanding and responses to trauma and significant stress.
- 16 (4) Training for school health support personnel on Modular Approach to
17 Therapy for Children with Anxiety, Depression, Trauma, or Conduct
18 problems (MATCH-ADTC), including any of the following components:
 - 19 a. Trauma-focused cognitive behavioral therapy.
 - 20 b. Parent and student coping skills.
 - 21 c. Problem solving.
 - 22 d. Safety planning.
- 23 (5) Any other training, including the training on the facilitation of peer-to-peer
24 mentoring, that is likely to increase school safety. Of the funds appropriated
25 by this act for the grants provided in this section, the Executive Director shall
26 use no more than three hundred fifty thousand dollars (\$350,000) in each fiscal
27 year of the 2025-2027 fiscal biennium for the services identified in this
28 subdivision.

29 **SECTION 20.7.(g)** Grants for Safety Equipment. – Of the funds appropriated by this
30 act for the grants provided in this section, the Executive Director of the Center for Safer Schools
31 shall award grants to public school units for (i) the purchase of safety equipment for school
32 buildings and (ii) training associated with the use of safety equipment purchased pursuant to this
33 subsection. Notwithstanding G.S. 115C-218.105(b), charter schools may receive grants for
34 school safety equipment pursuant to this subsection.

35 **SECTION 20.7.(h)** Subsidizing School Resource Officer Grants Program. – If the
36 Executive Director of the Center for Safer Schools receives applications for grants for school
37 resource officers under G.S. 143B-1208.20 in excess of the amount of funding appropriated for
38 school resource officer grants in the 2025-2027 fiscal biennium, the Executive Director may use
39 the funds appropriated for the grants provided for in this section to cover the unmet need for
40 school resource officer grants.

41 **SECTION 20.7.(i)** Supplement Not Supplant. – Grants provided to public school
42 units pursuant to the Program shall be used to supplement and not to supplant State or non-State
43 funds already provided for these services.

44 **SECTION 20.7.(j)** Administrative Costs. – Of the funds appropriated to the Center
45 for Safer Schools by this act for the grants provided in this section, the Executive Director of the
46 Center for Safer Schools may retain a total of up to one hundred thousand dollars (\$100,000) in
47 each fiscal year of the 2025-2027 fiscal biennium for administrative costs associated with the
48 Program.

49 **SECTION 20.7.(k)** Disbursement. – The Executive Director of the Center for Safer
50 Schools may enter into a memorandum of understanding with the Department of Public
51 Instruction to disburse grants awarded under this section.

1 **SECTION 20.7.(I)** Program Report. – No later than April 1 of each fiscal year in
2 which funds are awarded pursuant to this section, the Executive Director of the Center for Safer
3 Schools shall report on the Program to the Joint Legislative Education Oversight Committee, the
4 Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative
5 Oversight Committee on Justice and Public Safety, the Joint Legislative Commission on
6 Governmental Operations, the Senate Appropriations/Base Budget Committee, the House
7 Committee on Appropriations, and the Fiscal Research Division. The report shall include at least
8 the following information:

- 9 (1) The identity of each public school unit and community partner that received
10 grant funds through the Program.
- 11 (2) The amount of funding received by each entity identified pursuant to
12 subdivision (1) of this subsection.
- 13 (3) The services, training, and equipment purchased with grant funds by each
14 entity that received a grant.
- 15 (4) Recommendations for the implementation of additional effective school
16 safety measures.

17 18 **PART XXI. STATE HIGHWAY PATROL**

19 20 **STATE CAPITOL POLICE/CREATION OF RECEIPT-SUPPORTED POSITIONS**

21 **SECTION 21.1.(a)** Creation of Receipt-Supported Positions Authorized. – The State
22 Capitol Police may contract with State agencies for the creation of receipt-supported positions to
23 provide security services to the buildings occupied by those agencies.

24 **SECTION 21.1.(b)** Annual Report Required. – No later than September 1 of each
25 fiscal year, the State Capitol Police shall report to the Joint Legislative Oversight Committee on
26 Justice and Public Safety the following information for the fiscal year in which the report is due:

- 27 (1) A list of all positions in the State Capitol Police. For each position listed, the
28 report shall include at least the following information:
 - 29 a. The position type.
 - 30 b. The agency to which the position is assigned.
 - 31 c. The source of funding for the position.
- 32 (2) For each receipt-supported position listed, the contract and any other terms of
33 the contract.

34 **SECTION 21.1.(c)** Additional Reporting Required Upon Creation of
35 Receipt-Supported Positions. – In addition to the report required by subsection (b) of this section,
36 the State Capitol Police shall report the creation of any position pursuant to subsection (a) of this
37 section to the chairs of the House of Representatives Appropriations Committee on Justice and
38 Public Safety and the Senate Appropriations Committee on Justice and Public Safety and to the
39 Fiscal Research Division within 30 days of the position's creation. A report submitted pursuant
40 to this section shall include at least all of the following information:

- 41 (1) The position type.
- 42 (2) The agency to which the position is being assigned.
- 43 (3) The position salary.
- 44 (4) The total amount of the contract.
- 45 (5) The terms of the contract.

46 **SECTION 21.1.(d)** Format of Reports. – Reports submitted pursuant to this section
47 shall be submitted electronically and in accordance with any applicable General Assembly
48 standards.

49 50 **USE OF SEIZED AND FORFEITED PROPERTY**

1 **SECTION 21.2.(a)** Seized and forfeited assets transferred to the State Highway
 2 Patrol during the 2025-2027 fiscal biennium pursuant to applicable federal law shall be credited
 3 to the budget of the State Highway Patrol and shall result in an increase of law enforcement
 4 resources for the State Highway Patrol. The State Highway Patrol shall make the following
 5 reports to the chairs of the House of Representatives Appropriations Committee on Justice and
 6 Public Safety and the Senate Appropriations Committee on Justice and Public Safety:

- 7 (1) A report upon receipt of any assets.
- 8 (2) A report that shall be made prior to use of the assets on their intended use and
 9 the departmental priorities on which the assets may be expended.
- 10 (3) A report on receipts, expenditures, encumbrances, and availability of these
 11 assets for the previous fiscal year, which shall be made no later than
 12 September 1 of each year.

13 **SECTION 21.2.(b)** The General Assembly finds that the use of seized and forfeited
 14 assets transferred pursuant to federal law for new personnel positions, new projects, acquisition
 15 of real property, repair of buildings where the repair includes structural change, and construction
 16 of or additions to buildings may result in additional expenses for the State in future fiscal periods.
 17 Therefore, the State Highway Patrol is prohibited from using these assets for such purposes
 18 without the prior approval of the General Assembly.

19 **SECTION 21.2.(c)** Nothing in this section prohibits State law enforcement agencies
 20 from receiving funds from the United States Department of Justice, the United States Department
 21 of the Treasury, and the United States Department of Health and Human Services.
 22

23 **NO TRANSFER OF POSITIONS TO OTHER STATE AGENCIES**

24 **SECTION 21.3.(a)** Notwithstanding any other provision of law, and except as
 25 otherwise provided in subsection (b) of this section, the Office of State Budget and Management
 26 shall not transfer any positions, personnel, or funds from the State Highway Patrol to any other
 27 State agency during the 2025-2027 fiscal biennium unless the transfer was included in the base
 28 budget for one or both fiscal years of the biennium.

29 **SECTION 21.3.(b)** This section shall not apply to consolidation of information
 30 technology positions into the Department of Information Technology pursuant to
 31 G.S. 143B-1325.
 32

33 **TRANSFER NORTH CAROLINA CENTER FOR MISSING PERSONS TO THE STATE**
 34 **HIGHWAY PATROL**

35 **SECTION 21.4.(a)** All functions, powers, duties, and obligations vested in the North
 36 Carolina Center for Missing Persons in the Department of Public Safety are transferred to, vested
 37 in, and consolidated within the State Highway Patrol by a Type I transfer, as defined in
 38 G.S. 143A-6.

39 **SECTION 21.4.(b)** Article 17 of Chapter 143B of the General Statutes, as enacted
 40 by S.L. 2024-57, is amended by adding a new Part 4 to be entitled "North Carolina Center for
 41 Missing Persons."

42 **SECTION 21.4.(c)** Subpart B of Part 5 of Article 13 of Chapter 143B of the General
 43 Statutes is recodified as Part 4 of Article 17 of Chapter 143B of the General Statutes, as enacted
 44 by S.L. 2024-57, as follows:

| <u>Former Citation</u> | <u>Recodified Citation</u> |
|------------------------|----------------------------|
| 45 143B-1010 | 143B-1760 |
| 46 143B-1011 | 143B-1761 |
| 47 143B-1012 | 143B-1762 |
| 48 143B-1013 | 143B-1763 |
| 49 143B-1014 | 143B-1764 |
| 50 143B-1015 | 143B-1765 |

| | | |
|---|-----------|-----------|
| 1 | 143B-1016 | 143B-1766 |
| 2 | 143B-1017 | 143B-1767 |
| 3 | 143B-1018 | 143B-1768 |
| 4 | 143B-1019 | 143B-1769 |
| 5 | 143B-1020 | 143B-1770 |
| 6 | 143B-1021 | 143B-1771 |
| 7 | 143B-1022 | 143B-1772 |
| 8 | 143B-1023 | 143B-1773 |

9 **SECTION 21.4.(d)** Part 4 of Article 17 of Chapter 143B of the General Statutes, as
10 recodified by subsection (c) of this section, reads as rewritten:

11 "Part 4. North Carolina Center for Missing Persons.

12 **"§ 143B-1760. North Carolina Center for Missing Persons established.**

13 There is established within the ~~Department of Public Safety~~ State Highway Patrol the North
14 Carolina Center for Missing Persons, which shall be organized and staffed in accordance with
15 applicable laws. The purpose of the Center is to serve as a central repository for information
16 regarding missing persons and missing children, with special emphasis on missing children. The
17 Center may utilize the Federal Bureau of Investigation/National Crime Information Center's
18 missing person computerized file (hereinafter referred to as FBI/NCIC) through the use of the
19 Police Information Network in the North Carolina Department of Justice.

20 ...

21 **"§ 143B-1762. Control of the Center.**

22 The Center is under the direction of the ~~Secretary of the Department of Public Safety~~
23 Commander of the State Highway Patrol and may be organized and structured in a manner as the
24 Secretary deems appropriate to ensure that the objectives of the Center are achieved. The
25 ~~Secretary-Commander~~ may employ those Center personnel as the General Assembly may
26 authorize and provide funding for.

27 **"§ 143B-1763. Secretary-Commander to adopt rules.**

28 The ~~Secretary-Commander~~ of the State Highway Patrol shall adopt rules prescribing all of
29 the following:

- 30 (1) Procedures for accepting and disseminating information maintained at the
31 Center.
- 32 (2) The confidentiality of the data and information, including the missing person
33 report, maintained by the Center.
- 34 (3) The proper disposition of all obsolete data, including the missing person
35 report; provided, data for an individual who has reached the age of 18 and
36 remains missing must be preserved.
- 37 (4) Procedures allowing a communication link with the Police Information
38 Network and the FBI/NCIC's missing person file to ensure compliance with
39 FBI/NCIC policies.
- 40 (5) Forms, including but not limited to a missing person report, considered
41 necessary for the efficient and proper operation of the Center.

42 ...

43 **"§ 143B-1765. Dissemination of missing persons data by law-enforcement agencies.**

44 ...

45 If the report involves a missing child and the report meets the criteria established in
46 ~~G.S. 143B-1021(b), G.S. 143B-1771(b)~~, as soon as practicable after receipt of the report, the law
47 enforcement agency shall notify the Center and the National Center for Missing and Exploited
48 Children of the relevant data about the missing child.

49 ...

50 **"§ 143B-1766. Responsibilities of Center.**

51 The Center shall do all of the following:

1 ...
 2 (9) Maintain a directory of existing public and private agencies, groups, and
 3 individuals that provide effective assistance to families in the areas of
 4 prevention of child abduction, location of missing children and missing
 5 persons, and follow-up services to the child or person and family, as
 6 determined by the ~~Secretary of Public Safety~~ Commander of the State
 7 Highway Patrol.

8 ...
 9 (13) Perform such other activities that the ~~Secretary of Public Safety~~ Commander
 10 of the State Highway Patrol considers necessary to carry out the intent of its
 11 mandate.

12 ...
 13 **"§ 143B-1768. Release of information by Center.**

14 The following may make inquiries of, and receive data or information from, the Center:

15 ...
 16 (4) Any person engaged in bona fide research when approved by the ~~Secretary;~~
 17 Commander of the State Highway Patrol; provided, no names or addresses
 18 may be supplied to this person.

19 (5) Any other person authorized by the Secretary of the ~~Department of Public~~
 20 Safety Commander of the State Highway Patrol pursuant to
 21 G.S. 143B-1013; G.S. 143B-1763.

22 **"§ 143B-1769. Provision of toll-free service; instructions to callers; communication with**
 23 **law-enforcement agencies.**

24 The Center shall provide a toll-free telephone line for anyone to report the disappearance of
 25 any individual or the sighting of any missing child or missing person. The Center personnel shall
 26 instruct the caller, in the case of a report concerning the disappearance of an individual, of the
 27 requirements contained in ~~G.S. 143B-1014~~ G.S. 143B-1764 of first having to submit a missing
 28 person report on the individual to the law-enforcement agency having jurisdiction of the area in
 29 which the individual became or is believed to have become missing. Any law-enforcement
 30 agency may retrieve information imparted to the Center by means of this phone line. The Center
 31 shall directly communicate any report of a sighting of a missing person or a missing child to the
 32 law-enforcement agency having jurisdiction in the area of disappearance or sighting.

33 **"§ 143B-1770. Improper release of information; penalty.**

34 Any person working under the supervision of the Director of Victims and Justice Services
 35 who knowingly and willfully releases, or authorizes the release of, any data, information, or
 36 records maintained or possessed by the Center to any agency, entity, or person other than as
 37 specifically permitted by ~~Subpart B~~ this Part or in violation of any rule adopted by the ~~Secretary~~
 38 Commander of the State Highway Patrol is guilty of a Class 2 misdemeanor.

39 **"§ 143B-1771. North Carolina AMBER Alert System established.**

40 (a) There is established within the North Carolina Center for Missing Persons the
 41 AMBER Alert System. The purpose of AMBER Alert is to provide a statewide system for the
 42 rapid dissemination of information regarding abducted children.

43 (b) The AMBER Alert System shall make every effort to disseminate information on
 44 missing children as quickly as possible when all of the following criteria are met:

45 (1) The child is 17 years of age or ~~younger~~ younger.

46 (2) ~~The~~ If abduction is ~~not known or~~ suspected to be by a parent of the child,
 47 ~~unless the child's life is~~ must be suspected to be in imminent danger of serious
 48 injury or death; ~~death~~.

49 (3) The child is ~~believed~~ believed (i) to have been abducted and (ii) to be in danger
 50 of injury or death.

51 a: ~~To have been abducted, or~~

1 b. ~~To be in danger of injury or death;~~

2 (4) The child is not a runaway or voluntarily ~~missing; and~~missing.

3 (5) The abduction has been reported to and investigated by a law enforcement
4 agency.

5 If the abduction of the child is known or suspected to be by a parent of the child, the Center,
6 in its discretion, may disseminate information through the AMBER Alert System if the child is
7 believed to be in danger of injury or death.

8 ...

9 (f) The ~~Department of Public Safety, State Highway Patrol,~~ on behalf of the Center, may
10 accept grants, contributions, devises, and gifts, which shall be kept in a separate fund, which shall
11 be nonreverting, and shall be used to fund the operations of the Center and the AMBER Alert
12 System.

13 **"§ 143B-1772. North Carolina ~~Missing Endangered System~~ Silver Alert established.**

14 (a) There is established within the North Carolina Center for Missing Persons the ~~Missing~~
15 ~~Endangered System.~~ Silver Alert. The purpose of the ~~Missing Endangered System~~ Silver Alert
16 is to provide a statewide system for the rapid dissemination of information regarding a missing
17 person ~~or missing child aged 65 or older~~ who is believed to be suffering from dementia,
18 Alzheimer's disease, or a cognitive impairment ~~that, in light of the person's or child's missing~~
19 ~~status, requires the person or child to be protected from potential abuse or other physical harm,~~
20 ~~neglect, or exploitation that causes an irreversible deterioration of intellectual faculties that~~
21 ~~makes them unable to meet their own needs or to seek help without assistance.~~

22 (b) If the Center or a law enforcement agency receives a request that involves a missing
23 person ~~or missing child~~ as described in subsection (a) of this section, and at the time of receipt
24 no more than 72 hours have passed since the person ~~or child~~ went missing, the Center ~~or law~~
25 ~~enforcement agency~~ shall issue an alert providing for rapid dissemination of information
26 statewide regarding the missing ~~person or missing child.~~ person. The Center ~~or law enforcement~~
27 ~~agency~~ shall make every effort to disseminate the information as quickly as possible when the
28 person's ~~or child's~~ status as missing has been reported to a law enforcement ~~agency.~~ agency,
29 including procedures for the use of the Wireless Emergency Alert.

30 (c) The Center ~~and all law enforcement agencies~~ shall adopt guidelines and develop
31 procedures for issuing ~~an a 90-day alert~~ for missing persons ~~and missing children~~ as described in
32 subsection (a) of this section and shall provide education and training to encourage radio and
33 television broadcasters to participate in the alert. The guidelines and procedures shall ensure that
34 specific health information about the missing person ~~or missing child~~ is not made public through
35 the alert or otherwise.

36 (d) The Center ~~and all law enforcement agencies~~ shall consult with the Department of
37 Transportation and develop a procedure for the use of overhead permanent changeable message
38 signs to provide information on the missing person ~~or missing child~~ meeting the criteria of this
39 section when information is available that would enable motorists to assist in the recovery of the
40 missing ~~person or missing child.~~ person. The Center and the Department of Transportation shall
41 develop guidelines for the content, length, and frequency of any message to be placed on an
42 overhead permanent changeable message sign.

43 **"§ 143B-1773. North Carolina Blue Alert System established.**

44 ...

45 (c) The Center shall adopt guidelines and develop procedures for the statewide
46 implementation of the Blue Alert System and shall provide education and training to encourage
47 radio and television broadcasters to participate in the ~~alert.~~ alert, including procedures for the use
48 of the Emergency Alert System and the Wireless Emergency Alert.

49 ...

50 **"§ 143B-1774. North Carolina Missing Endangered Alert established.**

1 (a) There is established within the North Carolina Center for Missing Persons the Missing
2 Endangered Alert. The purpose of the Missing Endangered Alert is to provide a statewide system
3 for the rapid dissemination of information regarding a missing person, aged 64 or younger, or
4 missing child who is believed to be suffering from dementia, Alzheimer's disease, or a cognitive
5 impairment that causes an irreversible deterioration of intellectual faculties that makes them
6 unable to meet their own needs or to seek help without assistance and that is not a risk to the
7 general public.

8 (b) If the Center receives a request that involves a missing person or missing child as
9 described in subsection (a) of this section, and at the time of receipt no more than 72 hours have
10 passed since the person or child went missing, the Center shall issue an alert providing for rapid
11 dissemination of information statewide regarding the missing person or missing child. The Center
12 shall make every effort to disseminate the information as quickly as possible when the person's
13 or child's status as missing has been reported to a law enforcement agency, including procedures
14 for the use of the Wireless Emergency Alert.

15 (c) The Center shall adopt guidelines and develop procedures for issuing a 90-day alert
16 for missing persons and missing children as described in subsection (a) of this section and shall
17 provide education and training to encourage radio and television broadcasters to participate in
18 the alert. The guidelines and procedures shall ensure that specific health information about the
19 missing person or missing child is not made public through the alert or otherwise.

20 (d) The Center shall consult with the Department of Transportation and develop a
21 procedure for the use of overhead permanent changeable message signs to provide information
22 on the missing person or missing child meeting the criteria of this section when information is
23 available that would enable motorists to assist in the recovery of the missing person or missing
24 child. The Center and the Department of Transportation shall develop guidelines for the content,
25 length, and frequency of any message to be placed on an overhead permanent changeable
26 message sign.

27 **"§ 143B-1775. North Carolina Ashanti Alert established.**

28 (a) There is established within the North Carolina Center for Missing Persons the Ashanti
29 Alert. The purpose of the Ashanti Alert is to provide a statewide system for the rapid
30 dissemination of information regarding a missing person over 18 years of age that is suspected
31 to have been abducted and there is both abductor and vehicle information available.

32 (b) If the Center receives a request that involves a missing person as described in
33 subsection (a) of this section, and at the time of receipt no more than 72 hours have passed since
34 the person went missing, the Center shall issue an alert providing for rapid dissemination of
35 information statewide regarding the missing person. The Center shall make every effort to
36 disseminate the information as quickly as possible when the person's status as missing has been
37 reported to a law enforcement agency, including procedures for the use of the Emergency Alert
38 System and the Wireless Emergency Alert.

39 (c) The Center shall adopt guidelines and develop procedures for issuing a 24-hour alert
40 for missing persons as described in subsection (a) of this section and shall provide education and
41 training to encourage radio and television broadcasters to participate in the alert.

42 (d) The Center shall consult with the Department of Transportation and develop a
43 procedure for the use of overhead permanent changeable message signs to provide information
44 on the missing person or missing child meeting the criteria of this section when information is
45 available that would enable motorists to assist in the recovery of the missing person or missing
46 child. The Center and the Department of Transportation shall develop guidelines for the content,
47 length, and frequency of any message to be placed on an overhead permanent changeable
48 message sign.

49 **"§ 143B-1776. North Carolina Missing – Weather Alert established.**

50 (a) There is established within the North Carolina Center for Missing Persons the Missing
51 – Weather Alert. The purpose of the Missing – Weather Alert is to provide a statewide system

1 for the rapid dissemination of information regarding a missing person or child that is missing
2 during times of extreme heat or cold and is not in a vehicle, or immediately following a significant
3 weather event.

4 (b) If the Center receives a request that involves a missing person as described in
5 subsection (a) of this section, and at the time of receipt no more than 72 hours have passed since
6 the person went missing, the Center shall issue an alert providing for rapid dissemination of
7 information statewide regarding the missing person. The Center shall make every effort to
8 disseminate the information as quickly as possible, including procedures for the use of the
9 Wireless Emergency Alert.

10 (c) The Center shall adopt guidelines and develop procedures for issuing a 30-day alert
11 for missing persons as described in subsection (a) of this section and shall provide education and
12 training to encourage radio and television broadcasters to participate in the alert."

13 **SECTION 21.4.(e)** The State Highway Patrol shall adopt rules, or amendments to
14 rules, consistent with the provisions of this section. The State Highway Patrol may use the
15 procedure set forth in G.S. 150B-21.1 to adopt or amend any rules as required under this section.

17 **CREATE VIPER USER FEE AFTER FIRST ONE HUNDRED USERS**

18 **SECTION 21.5.(a)** G.S. 143B-1726, as amended by Section 3E.1 of S.L. 2024-57,
19 reads as rewritten:

20 "**§ 143B-1726. Statewide radio system authorized; use of telephone lines in emergencies.**

21 (a) The Commander of the State Highway Patrol is ~~hereby~~ authorized and directed to set
22 up and maintain a statewide radio system, with adequate broadcasting stations so situate as to
23 make the service available to all parts of the State for the purpose of maintaining radio contact
24 with the members of the State Highway Patrol and other officers of the State, to the end that the
25 traffic laws upon the highways may be more adequately enforced and that the criminal use of the
26 highways may be prevented. The Commander of the State Highway ~~Patrol, Patrol is hereby~~
27 authorized to establish a plan of operation in accordance with Federal Communication
28 Commission rules so that all certified law-enforcement officers within the State may use the law
29 enforcement emergency frequency of 155.475MHz.

30 (b) The Commander of the State Highway Patrol is ~~likewise~~ authorized and empowered
31 to arrange with the various telephone companies of the State for the use of their lines for
32 emergency calls by the members of the State Highway Patrol, if it shall be found practicable to
33 arrange apparatus for temporary contact with ~~said the~~ telephone circuits along the highways of
34 the State.

35 (c) In order to make this service more generally useful, the various boards of county
36 commissioners and the governing boards of the various cities and towns are ~~hereby~~ authorized
37 and empowered to provide radio receiving sets in the offices and vehicles of their various officers,
38 and ~~such these~~ expenditures are declared to be a legal expenditure of any funds that may be
39 available for police protection.

40 (d) Each user of the statewide radio system created pursuant to this section shall be
41 charged an annual user fee of twenty-five dollars (\$25.00), except that the statewide radio
42 manager of each county may exempt up to 100 users each year from paying this fee. The fee shall
43 be paid to the State Highway Patrol and used by the State Highway Patrol for costs associated
44 with maintaining and operating the statewide radio system created pursuant to this section."

45 **SECTION 21.5.(b)** This section becomes effective January 1, 2026, and applies to
46 users of the statewide radio system on or after that date.

48 **PART XXII. ADMINISTRATION**

50 **DOA/ADDITIONAL SUPPORT FOR DOMESTIC VIOLENCE CENTER GRANTS**

51 **SECTION 22.1.(a)** G.S. 7A-305(a2) reads as rewritten:

1 "(a2) In every action for absolute divorce filed in the district court, a cost of ~~seventy five~~
2 ~~dollars (\$75.00)~~ eighty-five dollars (\$85.00) shall be assessed against the person filing the
3 divorce action. Costs collected by the clerk pursuant to this subsection shall be remitted to the
4 State Treasurer, who shall deposit ~~seventy five dollars (\$75.00)~~ eighty-five dollars (\$85.00) to
5 the Domestic Violence Center Fund established under G.S. 50B-9. Costs assessed under this
6 subsection shall be in addition to any other costs assessed under this section."

7 **SECTION 22.1.(b)** G.S. 161-10 reads as rewritten:

8 "**§ 161-10. Uniform fees of registers of deeds.**

9 (a) Except as otherwise provided in this Article, all fees collected under this section shall
10 be deposited into the county general fund. While performing the duties of the office, the register
11 of deeds shall collect the following fees which shall be uniform throughout the State:

12 ...

13 (2) Marriage Licenses. – For issuing a license ~~sixty dollars (\$60.00)~~; one hundred
14 fifteen dollars (\$115.00); for issuing a delayed certificate with one certified
15 copy twenty dollars (\$20.00); and for a proceeding for correction of an
16 application, license or certificate, with one certified copy ten dollars (\$10.00).

17 "

18 **SECTION 22.1.(c)** G.S. 161-11.2 reads as rewritten:

19 "**§ 161-11.2. Fees for domestic violence centers.**

20 ~~Thirty dollars (\$30.00)~~ Eighty-five dollars (\$85.00) of each fee collected by a register of
21 deeds for issuance of a marriage license pursuant to G.S. 161-10(a)(2) shall be forwarded by the
22 register of deeds to the county finance officer, who shall forward the funds to the Department of
23 Administration to be credited to the Domestic Violence Center Fund established under
24 G.S. 50B-9. The register of deeds shall forward the fees to the county finance officer as soon as
25 practical. The county finance officer shall forward the fees to the Department of Administration
26 within 60 days after receiving the fees. The Register of Deeds shall inform the applicants that
27 ~~thirty dollars (\$30.00)~~ eighty-five dollars (\$85.00) of the fee for a marriage license shall be used
28 for Domestic Violence programs."

30 MORATORIUM ON PURCHASE OF MOTOR VEHICLES/RATE INFORMATION

31 **SECTION 22.2.(a)** Notwithstanding any other provision of law, the Department of
32 Administration, Division of Motor Fleet Management, shall not purchase any motor vehicles of
33 any type in the 2025-2026 fiscal year.

34 **SECTION 22.2.(b)** G.S. 143-341 reads as rewritten:

35 "**§ 143-341. Powers and duties of Department.**

36 The Department of Administration has the following powers and duties:

37 ...

38 (8) General Services:

39 ...

40 i. To establish and operate a central motor fleet and such subsidiary
41 related facilities as the Secretary may deem necessary, and to that end:

42 ...

43 2. To acquire passenger motor vehicles by transfer from other
44 State agencies and by purchase. All motor vehicles transferred
45 to or purchased by the Department shall become part of a
46 central motor fleet. When purchasing motor vehicles, the
47 Department shall not pay more than thirty thousand dollars
48 (\$30,000) per car and not more than fifty-five thousand dollars
49 (\$55,000) per pickup truck, sport utility vehicle, or van, unless
50 authorized to do so by the General Assembly; provided,
51 however, these amounts may be increased every two years by

an amount equal to the percentage increase in the automotive component of the Consumer Price Index for All Urban Consumers for the type of vehicle purchased.

...

6. To allocate and charge against each State agency to which transportation is furnished its proportionate part of the cost of maintenance and operation of the motor fleet.

The amount allocated and charged by the Department of Administration to State agencies to which transportation is furnished shall take into account all of the following: (i) vehicle replacement cost, (ii) maintenance cost, (iii) insurance, (iv) use of telematics devices, and (v) the Department's administration cost. The base monthly lease rate and the monthly per mile rate charged to each State agency for a motor fleet vehicle shall be increased every two years by an amount equal to the percentage increase in the automotive component of the Consumer Price Index for All Urban Consumers for that type of vehicle, such as "new," "used," or "leased."

...

11. To report ~~annually~~ not later than February 1 of each year to the Joint Legislative Oversight Committee on General ~~Government~~ Government, the House Appropriations Committee on General Government, the Senate Appropriations Committee on General Government and Information Technology, and the Fiscal Research Division on any rules adopted, amended or repealed under sub-sub-subdivisions 3., 7., or 7a. of this sub-subdivision. The report shall also include all of the following:

- I. An inventory of all motor vehicles in the motor vehicle fleet by vehicle class, such as sedan, light duty pickup truck, or SUV-compact, and vehicle model.
- II. The current base monthly lease rate by vehicle class and vehicle model, and when the next vehicle class rate increase will become effective.
- III. The monthly per mile rate for every mile over 1,050 miles per month, and when the next monthly per mile rate will become effective.
- IV. A telematics summary by vehicle class and vehicle model.

...."

OFFICE FOR HISTORICALLY UNDERUTILIZED BUSINESSES

SECTION 22.3.(a) The Office for Historically Underutilized Businesses in the Department of Administration is hereby abolished. Any advisory committees established by the Secretary of the Department of Administration to develop recommendations to improve the recruitment and utilization of minority businesses are hereby abolished.

SECTION 22.3.(b) Chapter 63A of the General Statutes is amended by adding a new section to read:

"§ 63A-19.1. Compliance with federal nondiscrimination laws.

1 Nothing in this Chapter or any other provision of the General Statutes shall be construed as
2 interfering with the Authority's ability to comply with 14 C.F.R. Part 152, Subpart E,
3 Nondiscrimination in Airport Aid Program."

4 **SECTION 22.3.(c)** G.S. 115D-9 reads as rewritten:

5 **"§ 115D-9. Powers of State Board regarding certain fee negotiations, contracts, and capital**
6 **improvements.**

7 ...

8 (g) For projects two million dollars (\$2,000,000) or more, funded with public money, the
9 Community Colleges System Office shall report no later than October 1 of each year to the State
10 Building Commission the following:

- 11 (1) A list of projects governed by this section.
- 12 (2) The estimated cost of each project along with the actual cost.
- 13 (3) The name of each person awarded a contract under this section.
- 14 (4) ~~Whether the person or business awarded a contract under this section meets~~
15 ~~the definition of "minority business" or "minority person" as defined in~~
16 ~~G.S. 143-128.2(g).~~

17"

18 **SECTION 22.3.(d)** G.S. 116-31.11 reads as rewritten:

19 **"§ 116-31.11. Powers of Board regarding certain fee negotiations, contracts, and capital**
20 **improvements.**

21 ...

22 (f) The Board of Governors shall annually report to the State Building Commission the
23 following:

- 24 (1) A list of projects governed by this section.
- 25 (2) The estimated cost of each project along with the actual cost.
- 26 (3) The name of each person awarded a contract under this section.
- 27 (4) ~~Whether the person or business awarded a contract under this section meets~~
28 ~~the definition of "minority business" or "minority person" as defined in~~
29 ~~G.S. 143-128.2(g).~~

30 **SECTION 22.3.(e)** G.S. 143-128 reads as rewritten:

31 **"§ 143-128. Requirements for certain building contracts.**

32 ...

33 (b) Separate-prime contracts. – When the State, county, municipality, or other public
34 body uses the separate-prime contract system, it shall accept bids for each subdivision of work
35 for which specifications are required to be prepared under subsection (a) of this section and shall
36 award the respective work specified separately to responsible and reliable persons, firms or
37 corporations regularly engaged in their respective lines of work. When the estimated cost of work
38 to be performed in any single subdivision or branch for which separate bids are required by this
39 subsection is less than twenty-five thousand dollars (\$25,000), the same may be included in the
40 contract for one of the other subdivisions or branches of the work, irrespective of total project
41 cost. The contracts shall be awarded to the lowest responsible, responsive bidders, taking into
42 consideration quality, performance, and the time specified in the bids for performance of the
43 ~~contract, and compliance with G.S. 143-128.2. contract.~~ Bids may also be accepted from and
44 awards made to separate contractors for other categories of work.

45 ...

46 (d) Single-prime contracts. – All bidders in a single-prime project shall identify on their
47 bid the contractors they have selected for the subdivisions or branches of work for:

- 48 (1) Heating, ventilating, and air conditioning;
- 49 (2) Plumbing;
- 50 (3) Electrical; and
- 51 (4) General.

1 The contract shall be awarded to the lowest responsible, responsive bidder, taking into
 2 consideration quality, performance, and the time specified in the bids for performance of the
 3 ~~contract, and compliance with G.S. 143-128.2.~~ contract. A contractor whose bid is accepted shall
 4 not substitute any person as subcontractor in the place of the subcontractor listed in the original
 5 bid, except (i) if the listed subcontractor's bid is later determined by the contractor to be
 6 nonresponsible or nonresponsive or the listed subcontractor refuses to enter into a contract for
 7 the complete performance of the bid work, or (ii) with the approval of the awarding authority for
 8 good cause shown by the contractor. The terms, conditions, and requirements of each contract
 9 between the contractor and a subcontractor performing work under a subdivision or branch of
 10 work listed in this subsection shall incorporate by reference the terms, conditions, and
 11 requirements of the contract between the contractor and the State, county, municipality, or other
 12 public body.

13 When contracts are awarded pursuant to this section, the public body shall make available to
 14 subcontractors the dispute resolution process as provided for in subsection (f1) of this section.

15 (d1) Dual bidding. – The State, a county, municipality, or other public entity may accept
 16 bids to erect, construct, alter, or repair a building under both the single-prime and separate-prime
 17 contracting systems and shall award the contract to the lowest responsible, responsive bidder
 18 under the single-prime system or to the lowest responsible, responsive bidder under the
 19 separate-prime system, taking into consideration quality, performance, ~~compliance with~~
 20 ~~G.S. 143-128.2,~~ and time specified in the bids to perform the contract. In determining the system
 21 under which the contract will be awarded to the lowest responsible, responsive bidder, the public
 22 entity may consider cost of construction oversight, time for completion, and other factors it
 23 considers appropriate. The bids received as separate-prime bids shall be received, but not opened,
 24 one hour prior to the deadline for the submission of single-prime bids. The amount of a bid
 25 submitted by a subcontractor to the general contractor under the single-prime system shall not
 26 exceed the amount bid, if any, for the same work by that subcontractor to the public entity under
 27 the separate-prime system. The provisions of subsection (b) of this section shall apply to
 28 separate-prime contracts awarded pursuant to this section and the provisions of subsection (d) of
 29 this section shall apply to single-prime contracts awarded pursuant to this section.

30"

31 **SECTION 22.3.(f)** G.S. 143-135.5 reads as rewritten:

32 "**~~§ 143-135.5. State policy; cooperation in promoting the use of small, minority, physically~~**
 33 **~~handicapped and women contractors; purpose construction contracts.~~**

34 (a) ~~It is the policy of this State to encourage and promote the use of small, minority,~~
 35 ~~physically handicapped and women contractors in State construction projects. All State agencies,~~
 36 ~~institutions and political subdivisions shall cooperate with the Department of Administration and~~
 37 ~~all other State agencies, institutions and political subdivisions in efforts to encourage and~~
 38 ~~promote the use of small, minority, physically handicapped and women contractors in achieving~~
 39 ~~the purpose of this Article, which is the effective and economical construction of public~~
 40 ~~buildings.~~

41 (b) ~~It is the policy of this State not to accept bids or proposals from, nor to engage in~~
 42 ~~business with, any business that, within the last two years, has been finally found by a court or~~
 43 ~~an administrative agency of competent jurisdiction to have unlawfully discriminated on the basis~~
 44 ~~of race, gender, religion, national origin, age, physical disability, or any other unlawful basis in~~
 45 ~~its solicitation, selection, hiring, or treatment of another business."~~

46 **SECTION 22.3.(g)** G.S. 143-254.6 reads as rewritten:

47 "**§ 143-254.6. Powers of the Commission regarding certain fee negotiations, contracts, and**
 48 **capital improvements.**

49 ...

50 (e) The Commission shall annually report the following to the State Building
 51 Commission:

- 1 (1) A list of projects governed by this section.
 2 (2) The estimated cost of each project along with the actual cost.
 3 (3) The name of each person or business awarded a contract under this section.
 4 (4) ~~Whether the person or business awarded a contract under this section meets~~
 5 ~~the definition of "minority business" or "minority person" as defined in~~
 6 ~~G.S. 143-128.2(g)."~~

7 **SECTION 22.3.(h)** G.S. 143B-135.214 reads as rewritten:

8 **"§ 143B-135.214. Powers of Department regarding certain fee negotiations, contracts, and**
 9 **capital improvements.**

10 ...

11 (f) The Department shall annually report to the State Building Commission the
 12 following:

- 13 (1) A list of projects governed by this section.
 14 (2) The estimated cost of each project along with the actual cost.
 15 (3) The name of each person awarded a contract under this section.
 16 (4) ~~Whether the person or business awarded a contract under this section meets~~
 17 ~~the definition of "minority business" or "minority person" as defined in~~
 18 ~~G.S. 143-128.2(g).~~

19"

20 **SECTION 22.3.(i)** G.S. 143B-434.01 reads as rewritten:

21 **"§ 143B-434.01. Comprehensive Strategic Economic Development Plan.**

22 ...

23 (e) Environmental Scan. – The first step in developing the Plan shall be to develop an
 24 environmental scan based on the input from economic development parties and the public and
 25 on information about the economic environment in North Carolina. To prepare the scan, the
 26 Secretary shall gather the information required in this subsection and ensure that the information
 27 is updated periodically. The updated information may be provided in whatever format and
 28 through whatever means is most efficient. The information required to prepare the scan includes
 29 all of the following:

30 ...

- 31 (2) Compilation of the latest data on the strength of the business environment by
 32 State, Region, and county with emphasis on the following dynamics of job
 33 creation: start-ups, expansions, locations, contractions, and failures. Special
 34 assessments are to be made of rural, small, and minority rural and small
 35 business components of overall activity.

36"

37 **SECTION 22.3.(j)** G.S. 143B-437.57 reads as rewritten:

38 **"§ 143B-437.57. Community economic development agreement.**

39 (a) Terms. – Each community economic development agreement shall include at least
 40 the following:

41 ...

- 42 (16) A provision requiring that the business engage in fair employment practices
 43 as required by State and federal law ~~and a provision encouraging the business~~
 44 ~~to use small contractors, minority contractors, physically handicapped~~
 45 ~~contractors, and women contractors whenever practicable in the conduct of its~~
 46 ~~business law.~~

47"

48 **SECTION 22.3.(k)** G.S. 143B-1361 reads as rewritten:

49 **"§ 143B-1361. Information technology procurement policy; ~~reporting~~**
 50 **requirements disclosure.**

1 (a) ~~Policy.—In order to further the policy of the State to encourage and promote the use~~
 2 ~~of small, minority, physically handicapped, and women contractors in State purchasing of goods~~
 3 ~~and services, all State agencies shall cooperate with the Department in efforts to encourage the~~
 4 ~~use of small, minority, physically handicapped, and women contractors in achieving the purposes~~
 5 ~~of this Article, which is to provide for the effective and economical acquisition, management,~~
 6 ~~and disposition of information technology.~~

7 (b) ~~Bids.—A vendor submitting a bid shall disclose in a statement, provided~~
 8 ~~contemporaneously with the bid, where services will be performed under the contract sought,~~
 9 ~~including any subcontracts and whether any services under that contract, including any~~
 10 ~~subcontracts, are anticipated to be performed outside the United States. Nothing in this section is~~
 11 ~~intended to contravene any existing treaty, law, agreement, or regulation of the United States.~~
 12 ~~The State CIO shall retain the statements required by this subsection regardless of the State entity~~
 13 ~~that awards the contract and shall report annually to the Secretary of Administration on the~~
 14 ~~number of contracts which are anticipated to be performed outside the United States.~~

15 (c) ~~Reporting.—Every State agency that makes a direct purchase of information~~
 16 ~~technology using the services of the Department shall report directly to the Department of~~
 17 ~~Administration all information required by G.S. 143-48(b).~~

18 (d) ~~Data from Department of Administration.—The Department of Administration shall~~
 19 ~~collect and compile the data described in this section and report it annually to the Department of~~
 20 ~~Information Technology, the Joint Legislative Oversight Committee on Information Technology,~~
 21 ~~and the Fiscal Research Division."~~

22 **SECTION 22.3.(l)** G.S. 160A-17.1 reads as rewritten:

23 **"§ 160A-17.1. Grants from other governments.**

24 (a) Federal and State. – The governing body of any city or county is hereby authorized
 25 to make contracts for and to accept grants-in-aid and loans from the federal and State
 26 governments and their agencies for constructing, expanding, maintaining, and operating any
 27 project or facility, or performing any function, which such city or county may be authorized by
 28 general law or local act to provide or perform.

29 In order to exercise the authority granted by this section, the governing body of any city or
 30 county may:

31 ...

32 (3a) Agree to and comply with minimum minority business enterprise participation
 33 requirements established by the federal government and its agencies in
 34 projects financed by federal grants-in-aid or loans, by including such
 35 minimum requirements in the specifications for contracts to perform all or part
 36 of such projects and awarding bids pursuant to ~~G.S. 143-129 and 143-131, if~~
 37 ~~applicable, to the lowest responsible bidder or bidders meeting these and any~~
 38 ~~other specifications.~~bids.

39"

40 **SECTION 22.3.(m)** Any local act authorizing a local government unit to establish,
 41 agree to, or comply with minority or women's business enterprise participation requirements is
 42 hereby repealed unless compliance with such requirements is required by the federal government
 43 and its agencies in projects financed by federal grants-in-aid or loans as provided in
 44 G.S. 160A-17(a)(3a).

45 **SECTION 22.3.(n)** G.S. 63A-19, 116D-4, 143-48, 143-48.2, 143-48.4, 143-49(7),
 46 143-128.2, 143-128.3, 143-128.4, 143-129.5, and 143-131(b) are repealed.

47
 48 **PART XXIII. ADMINISTRATIVE HEARINGS**

49
 50 **OAH/REDUCE DUTIES OF THE NORTH CAROLINA HUMAN RELATIONS**
 51 **COMMISSION**

1 **SECTION 23.1.** G.S. 7A-761 reads as rewritten:

2 "**§ 7A-761. North Carolina Human Relations Commission.**

3 (a) There is hereby created the North Carolina Human Relations Commission of the Civil
4 Rights Division of the Office of Administrative Hearings. The North Carolina Human Relations
5 Commission shall have the following functions and duties:

- 6 (1) ~~To study problems concerning human relations;~~
- 7 (2) ~~To promote equality of opportunity for all citizens;~~
- 8 (3) ~~To promote understanding, respect, and goodwill among all citizens;~~
- 9 (4) ~~To provide channels of communication among the races;~~
- 10 (5) ~~To encourage the employment of qualified people without regard to race;~~
- 11 (6) ~~To encourage youths to become better trained and qualified for employment;~~
- 12 (7) ~~To receive on behalf of the Civil Rights Division of the Office of~~
13 ~~Administrative Hearings and to recommend expenditure of gifts and grants~~
14 ~~from public and private donors;~~
- 15 (8) ~~To enlist the cooperation and assistance of all State and local government~~
16 ~~officials in the attainment of the objectives of the Commission;~~
- 17 (9) ~~To assist local good neighborhood councils and biracial human relations~~
18 ~~committees in promoting activities related to the functions of the Commission~~
19 ~~enumerated above;~~
- 20 (10) To advise the Chief Administrative Law Judge upon any matter the Chief
21 Administrative Law Judge may refer to it;
- 22 (11) To administer the provisions of the State Fair Housing Act as outlined in
23 Chapter 41A of the General Statutes;
- 24 (12) To administer the provisions of the Civil Rights Act as outlined in Chapter
25 99D of the General Statutes.

26 "

27
28 **OAH/EMPLOYMENT DISCRIMINATION DIVISION & EEOC COMPLAINTS**

29 **SECTION 23.2.(a)** G.S. 7A-759 is repealed.

30 **SECTION 23.2.(b)** G.S. 143-422.3 is repealed.

31 **SECTION 23.2.(c)** Any State or local government employee covered under Chapter
32 126 of the General Statutes may file a complaint alleging employment discrimination with the
33 United States Equal Employment Opportunity Commission in the manner provided by federal
34 law, and nothing in this section shall be construed as limiting or impeding that right.

35 **SECTION 23.2.(d)** This section shall not apply to any actions or complaints filed
36 pursuant to G.S. 7A-759 or G.S. 143-422.3 that are pending on the date this act becomes law.
37

38 **PART XXIV. OFFICE OF STATE AUDITOR**

39
40 **FLOODPLAIN BUYOUT PUBLIC/PRIVATE PARTNERSHIP PILOT PROGRAM**

41 **SECTION 24.1.(a)** Pilot Program. – Of the funds appropriated to the Office of the
42 State Auditor, the nonrecurring sum of fifteen million dollars (\$15,000,000) in the 2025-2026
43 fiscal year and twenty million dollars (\$20,000,000) in the 2026-2027 fiscal year shall be used
44 for the Floodplain Buyout Public/Private Partnership Pilot Program (Program) in accordance
45 with this section. The purpose of the Program is to utilize innovative valuation methods and
46 streamlined administrative processes to modernize the State's floodplain buyout strategies,
47 reduce future flood damage, and enhance floodplain functionality. The Office of the State
48 Auditor shall allocate one million dollars (\$1,000,000) of those funds from the 2025-2026 fiscal
49 year to the Board of Governors of The University of North Carolina for the North Carolina
50 Collaboratory (Collaboratory) for the purposes set forth in subsection (d) of this section. The

1 Office of the State Auditor and the Program Director shall seek to commence the operations of
2 the Program within six months of this section becoming law.

3 **SECTION 24.1.(b)** Program Director. – The State Auditor shall designate a State
4 employee within the Office of the State Auditor to serve as the Program Director and oversee the
5 Program. The Program Director shall do all of the following:

- 6 (1) Negotiate and execute a performance-based contract with a private partner in
7 accordance with this section.
- 8 (2) Ensure the release of funds for the Program align with established and defined
9 milestones set forth in the contract with the private partner.
- 10 (3) Coordinate with other State agencies, as necessary, to access data, planning
11 resources, and other support, including the Department of Public Safety.
- 12 (4) Ensure consistency with the Flood Resiliency Blueprint being developed by
13 the Department of Environmental Quality in planning and conducting the
14 Program, except where the General Assembly has directed otherwise.
- 15 (5) Monitor and evaluate the Program's effectiveness and compliance with this
16 section.

17 **SECTION 24.1.(c)** Private Partner. – The private partner contracted with by the
18 Office of the State Auditor for the participation in the Program shall do all of the following:

- 19 (1) Conduct buyout operations, including negotiations and contracting with
20 property owners for buyouts, real estate closings that transfer title to local land
21 trusts, demolition of existing structures as appropriate, and ecological
22 restoration.
- 23 (2) Meet and satisfy any predefined contractual milestones set forth in the
24 contract.
- 25 (3) Consider local zoning ordinances and development plans where buyouts are
26 proposed.

27 **SECTION 24.1.(d)** Collaboratory/Research and Valuation Development. – The
28 Collaboratory shall do all of the following:

- 29 (1) Establish buyout zone values based on projections of future damages and
30 enhanced floodplain functionality.
- 31 (2) Utilize appropriate investment assessment methods to define the total value of
32 the contract entered into under this section.
- 33 (3) Determine the efficacy of other State efforts to reduce future flood damage
34 with an emphasis on cost-benefit outcomes.

35 **SECTION 24.1.(e)** Evaluation. – The Program Director and the Office of the State
36 Auditor shall evaluate the effectiveness of the Program based on benchmarks and outcomes based
37 on the Collaboratory's valuation research as set forth in subsection (d) of this section and
38 compared to existing and historic State-run buyout programs.

39 **SECTION 24.1.(f)** The Office of the State Auditor shall submit a report to the Joint
40 Legislative Oversight Committee on General Government, the Joint Legislative Commission on
41 Governmental Operations, and the Fiscal Research Division on the Program implementation and
42 the Program's progress on or before October 1, 2025. Within one year of the Program's
43 completion, the Office of the State Auditor and the Program Director shall submit a report to the
44 same committees and the Fiscal Research Division on findings, recommendations, and any
45 proposed legislative recommendations or adjustments based on the Program's results, including
46 all projects completed, average cost of buyout for properties, types of properties, locations, and
47 any other metrics and outcomes the Program Director deems appropriate.

48 **THE DAVE ACT**

49 **SECTION 24.2.(a)** This section shall be known as "The Division of Accountability,
50 Value, and Efficiency (DAVE) Act."
51

1 **SECTION 24.2.(b)** The State Auditor shall establish a Division of Accountability,
2 Value, and Efficiency (Division) within the Department of the State Auditor. The powers and
3 duties of the Division shall be to effectuate the assessment and recommendations required by this
4 section, and the State Auditor shall organize and administer the Division in such a manner as the
5 State Auditor may deem necessary to conduct the Division's work accordingly.

6 **SECTION 24.2.(c)** No later than October 1, 2025, every State agency shall report to
7 the Division both of the following:

- 8 (1) An explanation of how the agency, including each division or office within
9 that agency, utilizes public monies to execute its powers and duties under law.
- 10 (2) A description of all positions within that agency that have remained vacant for
11 six months or more as of the effective date of this section. The description
12 shall include the original position vacancy dates, the dates of any postings or
13 repostings of the positions, and an explanation for the length of the vacancies.

14 **SECTION 24.2.(d)** The Division shall assess the continued need for each State
15 agency and the vacant positions within each agency. The assessment shall be based on a review
16 of the reports submitted pursuant to this section and any other information the Division deems
17 relevant. In gathering and assessing relevant information, the Division may consult with the Joint
18 Legislative Commission on Governmental Operations. The Division may also employ
19 individuals to utilize artificial intelligence and other appropriate tools for the purpose of
20 examining any of the following with respect to State agencies and their budgets:

- 21 (1) Amounts spent, including the entities receiving funds and the intended
22 purpose of the amounts spent.
- 23 (2) The effectiveness of any amount spent in achieving the intended purpose of
24 that spending.
- 25 (3) Duplicative spending.
- 26 (4) Any other factor demonstrating the fiscal soundness or effectiveness of the
27 State agency or lack thereof.

28 **SECTION 24.2.(e)** No later than December 31, 2025, the Division shall report the
29 results of the assessment conducted pursuant to this section to the General Assembly. The
30 Division's report shall include, at minimum, recommendations on both of the following:

- 31 (1) Any State agencies, or any divisions or offices within a State agency, that
32 should be dissolved based on the Division's assessment.
- 33 (2) Any State agency positions that should be eliminated based on the Division's
34 assessment.

35 **SECTION 24.2.(f)** The Division, in its discretion, may annually require any or all
36 State agencies to submit a report with the information required by this section, and may reassess
37 such information on an annual basis in accordance with this section, and report the results of the
38 assessment to the General Assembly.

39 **SECTION 24.2.(g)** This section is effective when it becomes law and expires
40 December 31, 2028, at which time the Division shall terminate.

41 **GDAC AVAILABILITY FOR AUDITOR**

42 **SECTION 24.3.(a)** Of the funds appropriated to the Office of the State Auditor in
43 this act, the sum of up to seven hundred fifty thousand dollars (\$750,000) in nonrecurring funds
44 for the 2025-2026 fiscal year shall be used to collaborate with the Government Data Analytics
45 Center (GDAC) to implement analytical capabilities to ensure efficiency in State government
46 agencies and assist the State Auditor in meeting its statutory responsibilities under G.S. 147-64.6.
47 These funds shall be used to fund detection analytics, software, information reporting, managed
48 services, and technical infrastructure. The Office of the State Auditor shall coordinate with the
49 GDAC and utilize the subject matter expertise and technical infrastructure available through
50 existing GDAC public-private partnerships for fraud detection and analytics infrastructure.
51

1 **SECTION 24.3.(b)** GDAC shall, at the direction of the State Auditor, expedite data
2 sharing agreements with State agencies in accordance with G.S. 143B-1385(c) to assist the
3 Division of Accountability, Value, and Efficiency, established in this act, in completing its
4 assessments and reports of State agencies as required by law.

5
6 **STATE AUDITOR/ASSESSMENT OF IT SECURITY STANDARDS &**
7 **RECOMMENDATIONS**

8 **SECTION 24.4.(a)** Article 5A of Chapter 147 of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 147-64.6E. Security practices of State information technology systems.**

11 (a) After assessing the security practices of a State agency's information technology
12 system, the Office of the State Auditor may include in its report to the agency a time frame, not
13 to exceed 90 days, in which the agency shall implement the Auditor's recommendations, if any
14 are made. Within 14 days after the expiration of the time frame specified in the report, the agency
15 shall, in writing, report to the State Auditor the actions it has taken to implement the
16 recommendations. The Auditor may, in his or her discretion, extend the time frame designated
17 in the report.

18 (b) If the State Auditor determines that a State agency has not, to his or her satisfaction,
19 implemented the recommendations included in the report, the State Auditor shall, in writing,
20 notify the State Chief Information Officer (hereinafter "State CIO") and the agency of the same.
21 Upon receiving the notification, the State CIO and the Department of Information Technology
22 (hereinafter "DIT") shall withhold all approvals required by Article 15 of Chapter 143B of the
23 General Statutes for any projects, contracts, budgets, or procurements for the agency until the
24 State Auditor determines all recommendations have been satisfactorily implemented, unless
25 approval from the State CIO or the DIT is required to implement the State Auditor's
26 recommendations.

27 (c) In a case where an agency's approvals are withheld as provided in subsection (b) of
28 this section, the agency shall, in writing, notify the State Auditor when it has taken the necessary
29 actions to implement the State Auditor's recommendations. Upon finding that the agency has
30 satisfactorily implemented the recommendations, the State Auditor shall, in writing, notify the
31 State CIO, and the State CIO and the DIT shall cease withholding approvals.

32 (d) Any action by the State CIO or the DIT to withhold approvals pursuant to subsection
33 (b) of this section shall not be subject to the provisions of G.S. 143B-1342."

34 **SECTION 24.4.(b)** G.S. 143B-1377 reads as rewritten:

35 **"§ 143B-1377. State CIO approval of security standards and risk assessments.**

36 ...

37 (e) Nothing in this section shall be construed to preclude the Office of the State Auditor
38 from assessing the security practices of State information technology systems as part of its
39 statutory duties and ~~responsibilities~~-responsibilities, including the provisions of G.S. 147-64.6E."

40
41 **PART XXV. BUDGET AND MANAGEMENT**

42
43 **OSBM/STATE FISCAL RECOVERY FUND FLEXIBILITY**

44 **SECTION 25.1.(a)** Notwithstanding any provision of law to the contrary, and
45 subject to the conditions set out in this section, the North Carolina Pandemic Recovery Office
46 (NCPRO), in consultation with the Director of the Budget, is authorized to reallocate State Fiscal
47 Recovery Funds (SFRF) appropriated by this act or any act of the General Assembly, including,
48 but not limited to:

49 (1) S.L. 2021-180.

50 (2) S.L. 2021-189.

51 (3) S.L. 2022-6.

- 1 (4) S.L. 2022-74.
- 2 (5) S.L. 2023-134.
- 3 (6) S.L. 2024-1.
- 4 (7) S.L. 2024-40.
- 5 (8) S.L. 2024-53.
- 6 (9) S.L. 2024-55.

7 **SECTION 25.1.(b)** The funds set out in subsection (a) of this section may be
8 reallocated only when all of the following conditions are met:

- 9 (1) The appropriated funds have not been expended by December 31, 2025.
- 10 (2) There is a reasonable expectation that the funds will not be expended before
11 the deadline established by applicable federal law or guidance.
- 12 (3) The reallocation is made to support one or more SFRF related activities
13 authorized and receiving appropriations under this act or one of the acts listed
14 above in subsection (a) of this section. Reallocated funds shall not be used for
15 any new activity, purpose, or program.
- 16 (4) The funds were not appropriated for a broadband project or activity.

17 **SECTION 25.1.(c)** To the extent the Office of State Budget and Management is
18 aware of any unappropriated SFRF funds, including interest earned, that remain unexpended and
19 may be reallocated to another eligible project, the OSBM shall report that information to the
20 Fiscal Research Division not later than January 15, 2026.

21 **SECTION 25.1.(d)** At least 30 days prior to executing the reallocation of funds as
22 proposed by NCPRO under subsection (a) of this section, the Office of State Budget and
23 Management shall report to the Joint Legislative Commission on Governmental Operations and
24 the Fiscal Research Division on the proposed plan to reallocate the funds, including the amounts
25 to be reallocated and the projects to which the funds will be reallocated. The OSBM shall submit
26 a monthly report to the Joint Legislative Commission on Governmental Operations and the Fiscal
27 Research Division on all reallocated SFRF expenditures.

28 **SECTION 25.1.(e)** Any funds remaining after the reallocation of funds authorized
29 in subsection (a) and subsection (b) of this section shall be allocated to the State Treasurer up to
30 an amount equal to the remaining unreimbursed COVID-19 related expenses incurred by the
31 North Carolina State Health Plan for Teachers and State Employees between March 3, 2021, and
32 December 31, 2024.

33 **SECTION 25.1.(f)** If the deadline for the expenditure of SFRF funds is extended to
34 June 30, 2027, or later, by the federal government, the provisions of this section shall be void
35 and have no effect.

36 37 **PART XXVI. BUDGET AND MANAGEMENT - SPECIAL APPROPRIATIONS**

38 39 **PURPLE HEART HOMES**

40 **SECTION 26.1.** Of the funds appropriated in this act to the Office of State Budget
41 and Management – Special Appropriations, the sum of one million five hundred thousand dollars
42 (\$1,500,000) in nonrecurring funds for each fiscal year of the 2025-2027 fiscal biennium shall
43 be allocated as a directed grant to Purple Heart Homes, Inc., a nonprofit corporation, to provide
44 personalized housing solutions for service-connected disabled and aging veterans and their
45 families across the State. Purple Heart Homes, Inc., may use not more than one hundred forty
46 thousand dollars (\$140,000) of the grant funds in each fiscal year for administrative costs. By
47 September 1, 2026, Purple Heart Homes, Inc., shall provide a report to the Senate Appropriations
48 Committee on General Government and Information Technology, the House of Representatives
49 Appropriations Committee on General Government, the Joint Legislative Oversight Committee
50 on General Government, and the Fiscal Research Division on the use of these funds, including

1 the number of individuals or families served, the types of services provided to those individuals
2 or families, and the outcomes.

3 4 **PART XXVII. OFFICE OF STATE CONTROLLER**

5 6 **OSC/CODIFY USE OF RECOVERED AUDIT FUNDS**

7 **SECTION 27.1.** G.S. 147-86.22(c) reads as rewritten:

8 "(c) Collection Techniques. – The State Controller, in conjunction with the Office of the
9 Attorney General, shall establish policies and procedures to govern techniques for collection of
10 accounts receivable. These techniques may include use of credit reporting bureaus, judicial
11 remedies authorized by law, and administrative setoff by a reduction of a tax refund pursuant to
12 the Setoff Debt Collection Act, Chapter 105A of the General Statutes, or a reduction of another
13 payment, other than payroll, due from the State to a person to reduce or eliminate an account
14 receivable that the person owes the State.

15 The State Controller shall negotiate a contract with a third party to perform an audit and
16 collection process of inadvertent overpayments by State agencies to vendors as a result of pricing
17 errors, neglected rebates and discounts, miscalculated freight charges, unclaimed refunds,
18 erroneously paid excise taxes, and related errors. The third party shall be compensated only from
19 funds recovered as a result of the audit. Savings realized in excess of costs shall be transferred
20 from the agency to the Office of State Budget and Management and placed in a special reserve
21 account for future direction by the General Assembly. Any disputed savings shall be settled by
22 the State Controller. Subject to availability and appropriation by the General Assembly, the State
23 Controller may use recovered audit funds for computer systems maintenance and improvements,
24 financial reporting, governmental accounting training, debt collection, and e-commerce costs.
25 This paragraph does not apply to the purchase of medical services by State agencies or payments
26 used to reimburse or otherwise pay for health care services."
27

28 **STATE AGENCIES/ELECTRONIC PAYMENTS**

29 **SECTION 27.2.(a)** G.S. 66-58.12 reads as rewritten:

30 "**§ 66-58.12. Agencies may provide access to services through electronic and digital**
31 **transactions; fees authorized.**

32 (a) Public agencies are encouraged to maximize citizen and business access to their
33 services through the use of electronic and digital transactions. A public agency may determine,
34 through program and transaction analysis, which of its services may be made available to the
35 public through electronic means, including the Internet. The agency shall identify any inhibitors
36 to electronic transactions between the agency and the public, including legal, policy, financial,
37 or privacy concerns and specific inhibitors unique to the agency or type of transaction. An agency
38 shall not provide a transaction through the Internet that is impractical, unreasonable, or not
39 permitted by laws pertaining to privacy or security.

40 (b) An agency may charge a fee to cover its costs of permitting a person to complete a
41 transaction through the ~~World Wide Web-internet~~ or other means of electronic access. The
42 transaction fee may be applied on a per transaction basis and may be calculated either as a flat
43 fee or a percentage fee, as determined under an agreement between a person and a public agency.
44 The fee may be collected by the agency or by its third party agent fee. Neither the flat fee nor the
45 percentage fee shall exceed two percent (2%) of the total amount of each transaction. An agency
46 shall not charge a surcharge for accepting electronic payments. For purposes of this subsection,
47 the following definitions apply:

48 (1) Surcharge. – A fee added to a payment by charge card, credit card, debit card,
49 or by electronic funds transfer for the convenience of making the electronic
50 payment or for any other purpose not authorized by law.

1 (2) Transaction fee. – A fee charged by a payment processor to a State agency for
2 processing a charge card, credit card, or debit card payment.

3 (c) The ~~fee-flat fee or percentage fee~~ imposed under subsection (b) of this section must
4 be approved by the State Chief Information Officer. The revenue derived from the fee must be
5 credited to a nonreverting agency reserve account. The funds in the account may be expended
6 only for e-commerce initiatives and projects approved by the State Chief Information Officer.
7 For purposes of this subsection, the term "public agencies" does not include a county, unit, special
8 district, or other political subdivision of government. The State Chief Information Officer shall
9 report any fees imposed under subsection (b) of this section and expenditures for e-commerce
10 initiatives and projects to the Joint Legislative Commission on Governmental Operations and the
11 Joint Legislative Oversight Committee on Information Technology.

12 (d) This section does not apply to the Judicial Department."

13 **SECTION 27.2.(b)** Article 6A of Chapter 147 of the General Statutes reads as
14 rewritten:

15 "Article 6A.

16 "Cash Management.

17 **"§ 147-86.10. Statement of policy.**

18 It is the policy of the State of North Carolina that all agencies, institutions, departments,
19 bureaus, boards, commissions, and officers of the State, whether or not subject to the State
20 Budget Act, Chapter 143C of the General Statutes, shall devise techniques and procedures for
21 the receipt, deposit, and disbursement of moneys coming into their control and custody which
22 are designed to maximize interest-bearing investment of cash, and to minimize idle and
23 nonproductive cash balances. This policy shall apply to the General Court of Justice as defined
24 in Article IV of the North Carolina Constitution, the public school units as defined in
25 G.S. 147-86.12, and the community colleges with respect to the receipt, deposit, and
26 disbursement of moneys required by law to be deposited with the State Treasurer and with respect
27 to moneys made available to them for expenditure by warrants drawn on the State Treasurer. This
28 policy shall include the acceptance of electronic payments in accordance with ~~G.S. 147-86.22 to~~
29 ~~the maximum extent possible consistent with sound business practices.~~the provisions of
30 G.S. 66-58.12 and the policies established by the State Controller under G.S. 147-86.22.

31 **"§ 147-86.11. Cash management for the State.**

32 ...

33 (e) Elements of Plan. – For moneys received or to be received, the statewide cash
34 management plan shall provide at a minimum that:

35 ...

36 (6) State agencies shall accept payment by electronic payment in accordance with
37 ~~G.S. 147-86.22 to the maximum extent possible consistent with sound~~
38 ~~business practices.~~the provisions of G.S. 66-58.12 and the policies established
39 by the State Controller under G.S. 147-86.22.

40 ...

41 **"§ 147-86.22. Statewide accounts receivable program.**

42 (a) Program. – The State Controller shall implement a statewide accounts receivable
43 program. As part of this program, the State Controller shall do all of the following:

44 (1) Monitor the State's accounts receivable collection efforts.

45 (2) Coordinate information, systems, and procedures between State agencies to
46 maximize the collection of past-due accounts receivable.

47 (3) Adopt policies and procedures for the management and collection of accounts
48 receivable by State agencies.

49 (3a) In consultation and coordination with the Department of Administration and
50 the State Chief Information Officer, enter into a statewide term contract for
51 electronic payment processing services.

1 (4) Establish procedures for writing off accounts receivable.

2 (b) Electronic Payment. – Notwithstanding the provisions of G.S. 147-86.20 and
3 G.S. 147-86.21, this subsection applies to debts owed a community college, a local school
4 administrative unit, an area mental health, developmental disabilities, and substance abuse
5 authority, and the Administrative Office of the Courts, and to debts payable to or through the
6 office of a clerk of superior court or a magistrate, as well as to debts owed to other State agencies
7 as defined in G.S. 147-86.20.

8 (b1) Policies Established. – The State Controller shall establish policies that allow
9 accounts receivable to be payable under certain conditions by electronic payment. The policies
10 shall provide that transaction fees for electronic payments may be imposed as provided in
11 G.S. 66-58.12, unless otherwise provided for by law. These policies shall be established with the
12 concurrence of the State Treasurer. In addition, any policies that apply to debts payable to or
13 through the office of a clerk of superior court or a magistrate shall be established with the
14 concurrence of the Administrative Officer of the Courts. The Administrative Officer of the Courts
15 may also establish policies otherwise authorized by law that apply to these debts as long as those
16 policies are not inconsistent with the Controller's policies. State agencies shall use the vendor or
17 vendors under the statewide term contract for electronic payments allowed under the policies
18 established under this subsection, unless explicitly exempted by the State Controller, in
19 concurrence with the State Treasurer or the Administrative Officer of the Courts, as applicable.

20 ~~A condition of payment by electronic payment is receipt by the appropriate State agency of~~
21 ~~the full amount of the account receivable owed to the State agency. A debtor who pays by~~
22 ~~electronic payment may be required to pay any fee or charge associated with the use of electronic~~
23 ~~payment.~~

24 (b2) Payment Processor Fees. – The policies established by the State Controller under
25 subsection (b1) of this section and the terms of the statewide term contract executed pursuant to
26 subdivision (3a) of subsection (a) of this section may authorize a vendor providing payment
27 processing services to retain their transaction fee at the time each transaction is made instead of
28 submitting the full amount of the account receivable owed to the State agency; provided,
29 however, the transaction fee shall not exceed two percent (2%) of the total amount of each
30 transaction. The State Controller may also establish policies and authorize contracts that provide
31 a State agency may require a vendor to pay the full amount of the account receivable owed to the
32 State agency, on a schedule agreed to by the agency and vendor, and thereafter the vendor shall
33 be reimbursed for the transaction fees owed to it by the State. In the case of reimbursement, the
34 transaction fee owed to the vendor shall not exceed two percent (2%) of the full amount of the
35 account receivable owed to the State agency. Fees associated with processing electronic
36 payments may be paid out of the General Fund and Highway Fund if the payment of the fee by
37 the State is economically beneficial to the State and the payment of the fee by the State has been
38 approved by the State Controller and State Treasurer.

39 (b3) Consult General Assembly. – The State Controller and State Treasurer shall consult
40 with the Joint Legislative Commission on Governmental Operations before establishing policies
41 that allow accounts receivable to be payable by electronic payment and before authorizing fees
42 associated with electronic payment to be paid out of the General Fund and Highway Fund.

43 (b4) Payments Not Honored. – A payment of an account receivable that is made by
44 electronic payment and is not honored by the issuer of the card or the financial institution offering
45 electronic funds transfer does not relieve the debtor of the obligation to pay the account
46 receivable.

47 (c) Collection Techniques. – The State Controller, in conjunction with the Office of the
48 Attorney General, shall establish policies and procedures to govern techniques for collection of
49 accounts receivable. These techniques may include use of credit reporting bureaus, judicial
50 remedies authorized by law, and administrative setoff by a reduction of a tax refund pursuant to
51 the Setoff Debt Collection Act, Chapter 105A of the General Statutes, or a reduction of another

1 payment, other than payroll, due from the State to a person to reduce or eliminate an account
2 receivable that the person owes the State.

3 The State Controller shall negotiate a contract with a third party to perform an audit and
4 collection process of inadvertent overpayments by State agencies to vendors as a result of pricing
5 errors, neglected rebates and discounts, miscalculated freight charges, unclaimed refunds,
6 erroneously paid excise taxes, and related errors. The third party shall be compensated only from
7 funds recovered as a result of the audit. Savings realized in excess of costs shall be transferred
8 from the agency to the Office of State Budget and Management and placed in a special reserve
9 account for future direction by the General Assembly. Any disputed savings shall be settled by
10 the State Controller. This paragraph does not apply to the purchase of medical services by State
11 agencies or payments used to reimburse or otherwise pay for health care services.

12 (d) Annual Report. – The State Controller shall report annually to the Joint Legislative
13 Commission on Governmental Operations and the Fiscal Research Division on the revenue
14 deposited into Special Reserve Account 24172 and the disbursement of that revenue."

15 **SECTION 27.2.(c)** The State Controller, in concurrence with the State Treasurer and
16 the Administrative Officer of the Courts, and any State agency subject to a contract with a vendor
17 to provide electronic payment processing services shall make every effort allowed by law to
18 amend the terms of those contracts to include a provision that the transaction fee paid to the
19 vendor shall not exceed two percent (2%) of the total amount of each transaction or two percent
20 (2%) of the full amount of the account receivable owed to the State. Upon the expiration,
21 amendment, or renewal of the contract for electronic payment processing services, the State
22 Controller, in concurrence with the State Treasurer and the Administrative Officer of the Courts,
23 and any State agency shall include, as part of the new, amended, or renewed contract, a provision
24 which explicitly states that the amount of the transaction fee to be paid by the State or the State
25 agency shall not exceed two percent (2%) of the total amount of each transaction or two percent
26 (2%) of the full amount of the account receivable owed to the State.

27 **SECTION 27.2.(d)** G.S. 18B-404 reads as rewritten:

28 "**§ 18B-404. Additional provisions for purchase and transportation by mixed beverage**
29 **permittees.**

30 ...

31 (e) Electronic Payment. – A local board shall accept electronic payments for any
32 spirituous liquor purchased by a mixed beverages permittee. A local board may not charge a
33 transaction fee for accepting electronic payments under this ~~subsection~~ subsection and shall not
34 charge a surcharge for accepting electronic payments. For purposes of this subsection, the term
35 "electronic payment" means payment following definitions apply:

36 (1) Electronic payment. – Payment by debit card or by electronic funds transfer
37 as defined in G.S. 105-228.90, but does G.S. 105-228.90. The term does not
38 include mean payment by charge card or credit card.

39 (2) Surcharge. – As defined in G.S. 66-58.12(b).

40 (3) Transaction fee. – As defined in G.S. 66-58.12(b).

41 (f) Delivery Service. – A local board shall offer delivery service to mixed beverage
42 permittees. In providing delivery of purchased products to mixed beverage permittees, the local
43 board may use its employees or contract with one or more independent contractors and may
44 charge a fee to the permittee. A local board in a Tier 1 or Tier 2 county, as defined in
45 G.S. 143B-472.35(a2)(18), may request an exemption to this requirement from the ABC
46 Commission. The Commission shall grant the request if the local board can show evidence of
47 unreasonable hardship or difficulty incurred by implementing delivery service."

48 **SECTION 27.2.(e)** G.S. 18B-907 reads as rewritten:

49 "**§ 18B-907. Allow electronic submission of payments and forms.**

50 (a) Forms. – The Commission shall make all forms required by the Commission to apply
51 for and receive a permit available on the Commission's Web site, and the Commission shall, to

1 the extent practicable, allow for the electronic submission of these forms. Any form required by
2 the Commission to apply for and receive a permit that requires a signature may be submitted with
3 an electronic signature in accordance with Article 40 of Chapter 66 of the General Statutes.

4 (b) Payments. – The Commission shall accept electronic payments for any fee required
5 under this Chapter to receive a permit. Any person who makes an electronic payment may be
6 charged a transaction fee to cover the costs incurred in accepting the payment electronically. The
7 transaction fee may be either a flat fee or a percentage fee. Neither the flat fee nor the percentage
8 fee shall exceed two percent (2%) of the total amount of each transaction. The Commission shall
9 not charge a surcharge for accepting electronic payments. For purposes of this subsection, the
10 term "electronic payment" means payment by charge card, credit card, debit card, or by electronic
11 funds transfer as defined in ~~G.S. 105-228.90~~G.S. 105-228.90, and the terms "surcharge" and
12 "transaction fee" mean the same as in G.S. 66-58.12(b).

13 (e) ~~Fee.—The Commission may charge a fee to be used to cover costs incurred by the~~
14 ~~Commission in processing forms electronically and accepting payments electronically. The fee~~
15 ~~authorized under this subsection may not exceed five dollars (\$5.00)."~~

16 **SECTION 27.2.(f)** G.S. 20-4.05 reads as rewritten:

17 **"§ 20-4.05. Authority of Division to charge transaction fee on electronic payments.**

18 (a) When the Division accepts electronic payment, as that term is defined in
19 G.S. 147-86.20, for any cost, fee, fine, or penalty imposed pursuant to this Chapter, the Division
20 may add a transaction fee to each electronic payment transaction to ~~offset the service charge the~~
21 ~~Division pays for electronic payment service.~~ cover the costs incurred in accepting the payment
22 electronically. The Division's transaction fee may be either a flat fee or a percentage fee. Neither
23 the flat fee nor the percentage fee shall not exceed two percent (2%) of the electronic
24 payment total amount of each transaction. The Division shall not charge a surcharge for accepting
25 electronic payments. For purposes of this subsection, the terms "surcharge" and "transaction fee"
26 have the same meanings as in G.S. 66-58.12(b).

27 (a1) When the Division accepts electronic payment for any taxes or fees on behalf of a
28 county or city, the Division may add a transaction fee to each electronic payment transaction as
29 provided in subsection (a) of this section. The Division shall not charge a person, county, or city
30 a surcharge for accepting electronic payments.

31 (b) Notwithstanding G.S. 66-58.12, this section applies to transactions completed in
32 person, through the World Wide Web, or through any other means of electronic access."
33

34 **STATE CONTROLLER OPERATING BUDGET & STAFF SAVINGS**

35 **SECTION 27.3.** Notwithstanding any provision of law or the Committee Report
36 referenced in Section 45.2 of this act to the contrary, BEST Shared Services in the Office of the
37 State Controller shall not be reduced by the sum of five hundred thirty thousand dollars
38 (\$530,000) in recurring funds for the 2025-2026 and 2026-2027 fiscal year, but instead the State
39 Controller shall reduce funds in any division or program funded in the Office's General Fund
40 budget code to equal the sum of five hundred thirty thousand dollars (\$530,000) in recurring
41 funds for the 2025-2026 and 2026-2027 fiscal year.

42

43 **PART XXVIII. ELECTIONS**

44

45 **SBE/RFP FOR SEIMS MODERNIZATION PROJECT PLAN**

46 **SECTION 28.1.** The State Board of Elections may develop and issue a request for
47 proposal for the Statewide Elections Information Management System Modernization Project
48 Plan.
49

50 **PART XXIX. GENERAL ASSEMBLY**

AMERICA'S SEMIQUINCENTENNIAL COMMITTEE

SECTION 29.1.(a) Section 14.10 of S.L. 2023-134 reads as rewritten:

"SECTION 14.10.(a) There is created the America's Semiquincentennial Committee (the Committee).

"SECTION 14.10.(b) Membership. – The Committee shall be composed of ~~seven~~nine members, as follows:

(1) ~~Three~~Four members appointed by the President Pro Tempore of the Senate, ~~one~~two of whom shall be ~~a member~~members of the Senate and the remainder of whom shall be members of the public.

(2) ~~Three~~Four members appointed by the Speaker of the House of Representatives, ~~one~~two of whom shall be ~~a member~~members of the House of Representatives and the remainder of whom shall be members of the public.

(3) One member jointly appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives who shall be a noted historian with expertise regarding the American Revolution.

"SECTION 14.10.(c) Terms; Chairs; Vacancies; Quorum. – Members appointed shall serve until the Committee terminates. The Committee shall have two cochairs which shall be the legislative member designated by the President Pro Tempore of the Senate and the legislative member designated by the Speaker of the House of Representatives. The Committee shall meet upon the call of the cochairs. Vacancies shall be filled by the appointing authority. A quorum of the Committee shall be a majority of the members.

"SECTION 14.10.(d) Duties. – ~~The~~Using funds available, the Committee shall ~~(i) study~~have the following duties:

(1) Study means for the State to celebrate the two hundred fiftieth anniversary of the founding of our ~~nation and (ii) report~~nation.

(2) Report the means and anticipated costs of the celebratory events to the General Assembly.

(3) Plan, execute, and coordinate events and activities that celebrate the semiquincentennial in any of the following ways:

a. Maintaining a website, social media, web-based or phone-based application, or commercial advertising that provides information on the semiquincentennial and events celebrating the semiquincentennial throughout the State.

b. Creating and presenting educational materials and hosting educational contests for elementary, secondary, and postsecondary schools.

c. Creating visual, auditory, or written content about the semiquincentennial.

d. Partnering with any of the following on events, activities, or publicity for the semiquincentennial:

1. State entities such as the North Carolina Symphony, the University of North Carolina Center for Public Media, and the Department of Natural and Cultural Resources.

2. America 250 NC federal, State, and county committees.

3. Nonprofits, historical, cultural, and business entities.

4. Any other entities the Committee deems appropriate.

"SECTION 14.10.(e) Compensation; Administration. – Members of the Committee shall receive subsistence and travel allowances at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. Using funds available, the Committee may contract to execute duties specified under subdivision (3) of subsection (d) of this section. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the

1 Committee in its work. Upon the direction of the Legislative Services Commission, the Directors
2 of Legislative Assistants of the Senate and of the House of Representatives shall assign clerical
3 staff to the Committee. The expenses for clerical employees shall be borne by the Committee.

4 **"SECTION 14.10.(f)** Reports; Termination. – The Committee shall make ~~an~~ the following
5 reports to the General Assembly:

6 (1) An interim report ~~report~~ to the 2025 Regular Session of the 2025 General
7 Assembly and a final report to Assembly by July 1, 2025, on planned events
8 and expected costs for the semiquincentennial celebrations.

9 (2) An interim report to the 2026 Regular Session of the 2025 General Assembly
10 by March 31, 2026, on the outcome of any executed events or plans, as well
11 as further plans and expected costs for the semiquincentennial celebrations.

12 (3) An interim report to the 2027 Regular Session of the 2027 General Assembly
13 on the outcome of any executed events or plans, as well as further plans and
14 expected costs for the semiquincentennial celebrations.

15 (4) A final report to the 2028 Regular Session of the 2027 General Assembly no
16 later than ~~January 14, 2026.~~ January 15, 2028, on the outcome of any executed
17 events or plans.

18 The Committee shall terminate on ~~January 15, 2026.~~ January 15, 2028.

19 **"SECTION 14.10.(g)** This section is effective when it becomes law."

20 **SECTION 29.1.(b)** This section is effective when it becomes law.

21 **PART XXX. GOVERNOR [RESERVED]**

22 **PART XXXI. HOUSING FINANCE AGENCY [RESERVED]**

23 **PART XXXI-A. OFFICE OF STATE HUMAN RESOURCES**

24 **MAKE APPLYING FOR STATE JOBS EASIER**

25 **SECTION 31A.1.(a)** Article 5 of Chapter 126 of the General Statutes is amended by
26 adding a new section to read:

27 **"§ 126-14.3A. Increasing efficiency of State job application process.**

28 (a) The Office of State Human Resources (OSHR) shall streamline the job application
29 process for State positions by enabling applicants to upload resumes or website profiles. An
30 electronic tool shall be utilized to import information from these documents into the State job
31 application format, making the process more efficient while still collecting information necessary
32 for merit-based hiring under G.S. 126-14.2 and G.S. 126-14.3. Applicants remain responsible for
33 ensuring all information required for initial screening appears correctly in their completed State
34 job application after importing their resume or profile.

35 (b) For job applications requiring references, supplemental questions, or other
36 information not typically found on resumes and not needed for initial screening, State agencies
37 may collect this information later in the selection process, such as during job interviews.

38 (c) Beginning in 2026 and then annually thereafter, the OSHR shall present the State
39 application form and demonstrate the import process to the State Human Resources Commission
40 to receive the Commission's informal feedback."

41 **SECTION 31A.1.(b)** G.S. 126-5(c7) reads as rewritten:

42 "(c7) Except as to the policies, rules, and plans established by the Commission pursuant to
43 G.S. 126-4(1), 126-4(2), 126-4(3), 126-4(4), 126-4(5), 126-4(6), 126-14.3, 126-14.3A, and
44 except as to G.S. 126-14.2, G.S. 126-34.02(b)(1) and (2), and Articles 6 and 7 of this Chapter,
45 this Chapter does not apply to exempt managerial positions."

46 **SECTION 31A.1.(c)** G.S. 126-5(c17) reads as rewritten:

1 "(c17) Except as to the policies, rules, and plans established by the Commission pursuant to
2 G.S. 126-4(1), 126-4(2), 126-4(3), 126-4(4), 126-4(5), 126-4(6), 126-7, 126-14.3, 126-14.3A,
3 and except as to the provisions of G.S. 126-14.2, G.S. 126-34.1(a)(2), and Articles 6 and 7 of this
4 Chapter, the provisions of this Chapter shall not apply to a warden of an adult corrections
5 facility."

6 **SECTION 31A.1.(d)** G.S. 126-5(c18) reads as rewritten:

7 "(c18) Except as to the policies, rules, and plans established by the Commission pursuant to
8 G.S. 126-4(1), 126-4(2), 126-4(3), 126-4(4), 126-4(5), 126-4(6), 126-4(7), and 126-14.3, and
9 except as to the provisions of G.S. 126-14.2, 126-14.3A, 126-34.02(b)(1) and (2), and Articles 6
10 and 7 of this Chapter, this Chapter does not apply to the warden of a State adult correctional
11 facility. Employees in these positions shall be public servants under G.S. 138A-3(70) and shall
12 file Statements of Economic Interest under G.S. 138A-22. Employees in these positions shall
13 receive the protections of former G.S. 126-5(e) if the employees were hired before the date of its
14 repeal and have the minimum cumulative service to qualify under that subsection."

15 **SECTION 31A.1.(e)** The Office of State Human Resources shall modify the State
16 job application process in accordance with this section by no later than November 1, 2025.

17 **SECTION 31A.1.(f)** This section is effective when it becomes law.

18 **PERMANENT HIRING OF CERTAIN EMPLOYEES/SPECIFIC CONDITIONS**

19 **SECTION 31A.2.(a)** Article 1 of Chapter 126 of the General Statutes is amended by
20 adding a new section to read:

21 **"§ 126-6.4. Temp-to-perm hiring.**

22 (a) The Council of State, the executive branch agencies, the Community College System
23 Office, and The University of North Carolina may directly hire temporary employees into vacant
24 positions if all of the following conditions are met:

- 25 (1) The permanent position to be filled must be vacant.
- 26 (2) The temporary employee must have worked for a minimum of six months in
27 a substantially equivalent role with satisfactory performance. This six-month
28 period excludes any mandatory breaks required under G.S. 126-6.3.
- 29 (3) The temporary employee must meet the minimum education and experience
30 requirements established for the position classification and their salary must
31 be set within the approved classification range.
- 32 (4) The temporary employee must have been originally hired through the North
33 Carolina Office of State Human Resources Temporary Solutions Program.

34 The Director of the Office of State Human Resources may waive the requirements specified in
35 subdivision (3) of this subsection, including both the minimum education and experience
36 requirements and the requirement that salary be set within the classification range.

37 (b) Unless otherwise provided, a hiring under this section is exempt from the provisions
38 of this Chapter, including any procedural or substantive requirements, including publicly posting
39 the position, requiring an application, holding an interview or new reference checks, selecting
40 the applicants from the pool of the most qualified persons, or following the priorities for certain
41 types of applicants under State law. This exemption for the hiring process does not affect whether
42 the position is subject to Chapter 126 of the General Statutes once the employee is hired.

43 (c) A hiring under this section is not exempt from G.S. 126-14, 126-14.1, or 126-14.5 or
44 from Article 6 or 7 of Chapter 126 of the General Statutes."

45 **SECTION 31A.2.(b)** This section is effective when it becomes law.

46 **GRANT EMPLOYING AGENCY FLEXIBILITY/HIRING/PAY/CLASSIFICATION**

47 **SECTION 31A.3.** Effective July 1, 2025, Article 1 of Chapter 126 of the General
48 Statutes is amended by adding a new section to read:

49 **"§ 126-3.1. Employing agency flexibility.**

1 (a) For the purposes of this section, an "employing agency" means the Council of State,
2 State agencies in the executive branch of government, the Community College System Office,
3 and The University of North Carolina.

4 (b) An employing agency is granted flexibility, notwithstanding other provisions of this
5 Chapter, to do the following:

6 (1) Offer qualified applicants for employment the option to have their
7 applications considered for future positions at the same agency and at other
8 agencies within the same or comparable classification.

9 (2) Permit agencies to recruit and hire applicants from job postings that apply to
10 all vacancies in a particular classification across all State agencies.

11 (3) Classify or reclassify positions according to the State Human Resources
12 Commission (SHRC) classification system, provided employees meet the
13 minimum requirements for the classification.

14 (4) Establish employee salaries within SHRC-determined salary ranges for
15 respective position classifications.

16 (c) Nothing in this section diminishes the powers of the State Human Resources
17 Commission or the Director of the Office of State Human Resources under any other provision
18 of this Chapter or relating to corrective actions taken when an employing agency fails to comply
19 with this section."

21 **MODERNIZE AND SIMPLIFY THE STATE HUMAN RESOURCES ACT**

22 **SECTION 31A.4.** By March 15, 2026, the Office of State Human Resources
23 (OSHR) shall submit a report to the President Pro Tempore of the Senate, the Speaker of the
24 House of Representatives, and the Fiscal Research Division with recommended changes to
25 Chapter 126 of the General Statutes to modernize the North Carolina Human Resources Act,
26 simplify its provisions, and align it with contemporary human resources best practices. At a
27 minimum, the report shall address legislative changes needed to:

28 (1) Streamline hiring processes.

29 (2) Enhance recruitment strategies and increase the attractiveness of State
30 government employment.

31 (3) Develop and maintain a high-quality, well-trained State workforce.

32 (4) Improve State employee retention rates.

33 The OSHR shall collaborate with State agencies, local governments, and other
34 relevant stakeholders to develop these legislative proposals.

36 **PART XXXII. INSURANCE**

38 **DIRECT OSBM TO GIVE OSFM SEPARATE BUDGET CODE**

39 **SECTION 32.1.(a)** The Office of State Budget and Management shall establish a
40 new budget code for the Office of the State Fire Marshal (OSFM) and create new budget funds
41 for each division of the OSFM.

42 **SECTION 32.1.(b)** This section becomes effective July 1, 2025.

44 **WORKERS' COMPENSATION FUND FOR CERTAIN SAFETY WORKERS**

45 **SECTION 32.2.(a)** Notwithstanding the provisions of G.S. 58-87-10, for the
46 2025-2026 fiscal year, the Office of the State Fire Marshal shall not set an amount to be paid by
47 every eligible unit and eligible entity, as those terms are defined in G.S. 58-87-10(a), that elects
48 to participate in the Workers' Compensation Fund created pursuant to G.S. 58-87-10(b). For the
49 2025-2026 fiscal year, no eligible unit or eligible entity shall be required to submit to the Office
50 of the State Fire Marshal any payment to participate in the Fund.

51 **SECTION 32.2.(b)** G.S. 58-87-10 reads as rewritten:

1 **"§ 58-87-10. Workers' Compensation Fund for the benefit of certain safety workers.**

2 ...
3 (f) Funding Study. – The Office of the State Fire Marshal shall annually conduct an
4 actuarial study that shall do all of the following:

5 ...
6 (3) Calculate how much revenue from the State and from member premiums
7 would be required to meet the needs of the Fund for each of the following
8 scenarios:

9 ...
10 d. Member premiums, by job classification, set at the lowest amount
11 necessary to maintain the cash balance in the Fund at the optimal
12 amount identified by the actuary.

13"

14
15 **MANDATE ALL OTHER PERIL COVERAGE FOR PARTICIPANTS IN THE STATE**
16 **PROPERTY FIRE INSURANCE FUND**

17 **SECTION 32.3.(a)** G.S. 58-31-10 reads as rewritten:

18 **"§ 58-31-10. Payment of losses on basis of actual cost of restoration or replacement; rules;**
19 **insurance and reinsurance; sprinkler leakage ~~insurance~~insurance; all other**
20 **peril insurance.**

21 ...
22 (d) Every State department, institution, or agency that insures State property against the
23 direct loss or damage by insurable hazards in the State Property Fire Insurance Fund shall obtain
24 and make payment for all other perils coverage as provided by the Fund."

25 **SECTION 32.3.(b)** This section becomes effective July 1, 2026.

26
27 **PART XXXIII. INSURANCE - INDUSTRIAL COMMISSION [RESERVED]**

28
29 **PART XXXIV. LIEUTENANT GOVERNOR [RESERVED]**

30
31 **PART XXXV. MILITARY AND VETERANS AFFAIRS**

32
33 **CODIFY NORTH CAROLINA VETERANS CEMETERY TRUST FUND/VETERANS'**
34 **CEMETERIES UPGRADE & MAINTENANCE**

35 **SECTION 35.1.(a)** Article 8A of Chapter 65 of the General Statutes is amended by
36 adding the following new sections to read:

37 **"§ 65-45. North Carolina Veterans Cemetery Trust Fund.**

38 There is hereby established the North Carolina Veterans Cemetery Trust Fund (hereinafter
39 "Fund"), a special fund within the Department of Military and Veterans Affairs. The Fund shall
40 be maintained as a special fund and shall be administered by the Department to carry out the
41 operations and maintenance of the State's veterans' cemeteries. Interest accruing from the monies
42 in the Fund shall be credited to the Fund. The Fund shall consist of the following sources of
43 funding:

44 (1) All interest and investment earnings received on monies in the Fund.

45 (2) Any other funds, as directed by the General Assembly.

46 **"§ 65-45.1. Veterans' cemeteries; reporting requirements.**

47 Not later than September 15 of each year, the Department of Military and Veterans Affairs
48 shall submit a report to the Joint Legislative Oversight Committee on General Government, the
49 House Appropriations Committee on General Government, the Senate Appropriations
50 Committee on General Government and Information Technology, and the Fiscal Research
51 Division on all of the following:

1 Veterans Life Center (hereinafter "Center"), a nonprofit corporation, which shall be administered
 2 by the ~~Department-OSBM~~ as provided in this section. Funds appropriated by the General
 3 Assembly for the challenge grant program shall be used to allocate funds to the Center for the
 4 purpose of providing rehabilitation and reintegration services and support to veterans across the
 5 State, and those funds shall not be used for any other purpose without the express authorization
 6 of the General Assembly.

7 (b) The maximum amount of State funds that may be disbursed to the Center under this
 8 section is seven hundred fifty thousand dollars (\$750,000) in each fiscal year. The ~~Department~~
 9 ~~OSBM~~ shall disburse State funds on a dollar-for-dollar basis each quarter so that the Center will
 10 receive a State dollar for each non-State dollar raised by the Center each quarter, but in no case
 11 shall the ~~Department-OSBM~~ disburse State funds to the Center if the Center has not raised
 12 non-State funds in that quarter of the fiscal year. The Center shall demonstrate, to the satisfaction
 13 of the ~~Department, OSBM~~, that it has raised the non-State funds required by this subsection prior
 14 to the disbursement of State funds. The Center shall not supplant, shift, or reallocate Center funds
 15 for the purpose of achieving the non-State dollars required by this subsection.

16 (b1) Notwithstanding the provisions of subsection (b) of this section, if the OSBM does
 17 not disburse grant funds to the Veterans Life Center in a fiscal year because the Center did not
 18 satisfy the requirements of the grant contract between the OSBM and the Center on or before
 19 June 30 of that fiscal year, the grant funds shall not revert on June 30 but shall remain available
 20 to the OSBM to disburse to the Center in the following fiscal year as long as the Center satisfies
 21 the grant contract requirements. In such a case, the OSBM is authorized to disburse grant funds
 22 to the Veterans Life Center in an amount greater than seven hundred fifty thousand dollars
 23 (\$750,000) in a fiscal year because the amount disbursed is for both the prior fiscal year and the
 24 current fiscal year.

25 (c) Not later than July 1 of each year, the ~~Department-OSBM~~ shall submit a written report
 26 to the Joint Legislative Oversight Committee on General Government and the Fiscal Research
 27 Division on all of the following information, and the Center shall provide the information to the
 28 ~~Department-OSBM~~ in the manner and time period requested by the ~~Department-OSBM~~ for
 29 purposes of preparing the report:

30 ...

31 "Part 9. Priority in Employment Assistance for Veterans of the Armed Forces of the United
 32 States.

33 ...

34 "**§ 143B-1285. Implementation and performance measures.**

35 ~~The North Carolina Commission on Workforce Preparedness-NC Works Commission~~ shall:

36 ...

37 "Part 10. State Veterans Home.

38 ...

39 "**§ 143B-1291. ~~Establishment.~~ Establishment of State veterans homes; closing homes.**

40 (a) Establishment. – The State of North Carolina shall construct, maintain, and operate
 41 veterans homes for the aged and infirm veterans resident in this State under the administrative
 42 authority and control of the Department of Military and Veterans Affairs. There is vested in the
 43 Department ~~any and all the~~ powers and authority ~~that may be~~ necessary to enable it to establish
 44 and operate the ~~homes and to~~ homes; provided, however, funds to construct, maintain, and
 45 operate the homes shall be pursuant to appropriation by the General Assembly except as provided
 46 in G.S. 143B-1294(c). The Department shall issue rules necessary to operate the homes in
 47 compliance with applicable State and federal statutes and regulations. The Department may enter
 48 into contracts to construct and maintain veterans homes in accordance with the provisions of
 49 Articles 3, 3C, 3D, and 8 of Chapter 143 of the General Statutes and procedures established by
 50 the Division of Purchase and Contract and the Office of State Construction. The Department may
 51 enter into contracts to operate veterans homes as provided in G.S. 143B-1295.

1 **(b) Report Condition Assessment Results.** – If the Department determines, based upon
2 an assessment conducted by the Office of State Construction, the Department, or an entity with
3 whom the Department has contracted to conduct the assessment, that a State veterans home
4 requires repair in order to maintain the home in a safe and habitable condition, the Department
5 shall, not later than 24 hours after receiving the assessment report, submit a report of the
6 assessment findings to the Joint Legislative Oversight Committee on General Government, the
7 House Appropriations Committee on General Government, the Senate Appropriations
8 Committee on General Government and Information Technology, and the Fiscal Research
9 Division. The report shall, at a minimum, include the name of the State agency or other entity
10 that conducted the assessment, the reason for the assessment, the dangerous conditions found,
11 the Department's recommendations for remedying the dangerous conditions, and the estimated
12 costs of remedying the dangerous conditions.

13 ...
14 **"§ 143B-1293. North Carolina Veterans Home Trust Fund.**

15 ...
16 **(c) Use of Fund.** – The trust fund created in subsection (a) of this section shall be used
17 by the Department of Military and Veterans Affairs to do the following:

- 18 (1) To pay for the care of veterans in said State veterans homes;
- 19 (2) To pay the general operating expenses of the State veterans homes, including
20 the payment of salaries and wages of officials and employees of said homes;
21 and
- 22 (3) To pay the costs to remodel, repair, construct, modernize, or add
23 improvements to buildings and facilities at the homes.

24 ...
25 **"§ 143B-1294. Funding.**

26 ...
27 **(c)** All funds received by the Department shall be deposited in the North Carolina
28 Veterans Home Trust Fund, except for any funds deposited into special agency accounts
29 established pursuant to G.S. 143B-1293(d)(3). The Veterans' Affairs Commission shall authorize
30 the expenditure of all funds from the North Carolina Veterans Home Trust Fund. The Veterans'
31 Affairs Commission may delegate authority to the Assistant Secretary of Veterans Affairs for the
32 expenditure of funds from the North Carolina Veterans Home Trust Fund for operations of the
33 State Veterans Nursing Homes. The delegation of authority shall apply only to the person holding
34 the office of Secretary of the Department at the time the vote is undertaken, and a new vote to
35 delegate authority must be undertaken by the Commission each time a person is appointed to
36 serve as Secretary or designated to serve as chair of the Commission under G.S. 143B-1221.

37 **"§ 143B-1295. Contracted operation of homes.**

38 The Department of Military and Veterans Affairs, in consultation with the Veterans' Affairs
39 Commission–Commission, may contract with persons or other nongovernmental entities to
40 operate each State veterans home. Contracts for the procurement of services to manage,
41 administer, and operate any State veterans home shall be awarded on a competitive basis through
42 the solicitation of proposals and through the procedures established by statute and the Division
43 of Purchase and Contract. A contract may be awarded to the vendor whose proposal is most
44 advantageous to the State, taking into consideration cost, program suitability, management plan,
45 excellence of program design, key personnel, corporate or company resources, financial
46 condition of the vendor, experience and past performance, and any other qualities deemed
47 necessary by the Veterans' Affairs Commission–Department and set out in the solicitation for
48 proposals. Any contract awarded under this section shall not exceed five years in length. The
49 Veterans' Affairs Commission–Department is not required to select or recommend the vendor
50 offering the lowest cost proposal but shall select or recommend the vendor who, in the opinion

1 of the ~~Commission, Department,~~ offers the proposal most advantageous to the veterans and the
2 State of North Carolina.

3 **"§ 143B-1296. Program staff.**

4 The Department shall appoint and fix the salary of ~~an Administrative Officer a Program~~
5 Director for the State veterans home program. The ~~Administrative Officer shall be an honorably~~
6 ~~discharged veteran who has served in active military service in the Armed Forces of the United~~
7 ~~States for other than training purposes. Program Director does not have to be a veteran, but~~
8 preference shall be given to veteran applicants in accordance with G.S. 128-15. The
9 ~~Administrative Officer Program Director~~ shall direct the establishment of the State veterans
10 home program, coordinate the master planning, land acquisition, and construction of all State
11 veterans homes under the procedures ~~of established by~~ the Office of State Construction, and
12 oversee the ongoing operation of ~~said the~~ veterans homes. The ~~Division Department~~ may hire
13 any required additional administrative staff to ~~help assist~~ with administrative and operational
14 responsibilities at each established State veterans home.

15 ...

16 **"§ 143B-1300. Report and budget.**

17 (a) The ~~Assistant Secretary for Veterans Affairs shall report annually to the Secretary of~~
18 ~~the Department of Military and Veterans Affairs and shall report annually to the Joint Legislative~~
19 ~~Oversight Committee on General Government and the Fiscal Research Division~~ on the activities
20 of the State Veterans Homes Program. This report shall contain an accounting of all monies
21 received and expended, statistics on residents in the homes during the year, recommendations to
22 the ~~Secretary, the Governor, Governor~~ and the General Assembly ~~as to the program, on ways to~~
23 improve the services provided by the homes, and such other matters as may be deemed pertinent.

24 ...

25 **"§ 143B-1301. Detailed annual report.**

26 By March 1 of odd-numbered years and September 1 of even-numbered years, the
27 Department of Military and Veterans Affairs shall report to the Joint Legislative Oversight
28 Committee on General Government, the Senate Appropriations Committee on General
29 Government and Information Technology, the House of Representatives Appropriations
30 Committee on General Government, and the Fiscal Research Division on the status of the State
31 Veterans Homes program by providing a general overview of the State Veterans Homes and a
32 specific description of each facility which shall include, at a minimum, all of the following:

33 ...

- 34 (1a) Facility condition assessment, including any structural, mechanical,
35 plumbing, electrical, or other issue that affects the integrity of the facility that
36 should be repaired or replaced within the 12 months immediately following
37 submission of the report required by this section.

38 ...

39 "Part 11. North Carolina Military Affairs Commission.

40 ...

41 **"§ 143B-1311. Membership.**

42 ...

43 (b) The voting members of the Commission shall be appointed as follows:

- 44 (1) Thirteen members appointed by the Governor, consisting of:

45 ...

- 46 h. One person who is a resident of North Carolina with a long-term
47 connection to the State and who is a current or retired member of a
48 reserve component of the United States Air Force, Army, Navy, Space
49 Force, or Marines Marine Corps and who is involved in a military
50 affairs organization or involved in military issues through civic,
51 commercial, or governmental relationships.

1 ...
 2 (h) The initial meeting of the Commission shall be within 30 days of the effective date of
 3 this act at a time and place to be determined by the Secretary of Commerce. The first order of
 4 business at the initial meeting of the Commission shall be the adoption of bylaws and
 5 establishment of committees, after which the Commission shall meet upon the call of the
 6 ~~Chairman or the Secretary of the Department of Military and Veterans Affairs.~~ chair. The
 7 members shall receive no compensation for attendance at meetings, except a per diem expense
 8 reimbursement. Members of the Commission who are not officers or employees of the State shall
 9 receive reimbursement for subsistence and travel expenses at rates set out in G.S. 138-5 from
 10 funds made available to the Commission. Members of the Commission who are officers or
 11 employees of the State shall be reimbursed for travel and subsistence at the rates set out in
 12 G.S. 138-6 from funds made available to the Commission. The Department of Military and
 13 Veterans Affairs shall use funds within its budget for the per diem, subsistence, and travel
 14 expenses authorized by this subsection.
 15"

17 ARMED FORCES TO INCLUDE UNITED STATES SPACE FORCE

18 **SECTION 35.3.(a)** G.S. 17C-10.1 reads as rewritten:

19 **"§ 17C-10.1. Certification of military service members and veterans with law enforcement**
 20 **training and experience.**

21 ...

22 (g) As used in this section, the following terms mean:

- 23 (1) Branches of military service. – The United States Armed Forces: Air Force;
 24 Army; ~~Marine;~~ Marine Corps; Navy; Space Force; active, reserve, Air/Army
 25 National Guard components; and the Coast Guard.

26"

27 **SECTION 35.3.(b)** G.S. 58-58-335 reads as rewritten:

28 **"§ 58-58-335. Definitions.**

29 As used in this Part:

30 ...

- 31 (1a) "Armed Forces" means all components of the United States Army, Navy, Air
 32 Force, Marine Corps, Space Force, and Coast Guard.

33"

34 **SECTION 35.3.(c)** G.S. 116-143.3 reads as rewritten:

35 **"§ 116-143.3. Tuition of qualifying federal services members and their spouses and**
 36 **dependents.**

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

38 ...

- 39 (2) Armed Forces. – The United States Air Force, Army, Coast Guard, Marine
 40 Corps, Space Force, and Navy; the North Carolina National Guard; and any
 41 reserve component of the foregoing.

42"

43 **SECTION 35.3.(d)** G.S. 116-235 reads as rewritten:

44 **"§ 116-235. Board of Trustees; additional powers and duties.**

45 ...

46 (b) Students. –

- 47 (1) Admission of Students. – The School shall admit students in accordance with
 48 criteria, standards, and procedures established by the Board of Trustees. To be
 49 eligible to be considered for admission, an applicant must be either a legal
 50 resident of the State, as defined by G.S. 116-143.1(a)(1), or a student whose
 51 parent is an active duty member of the Armed Forces, as defined by

1 G.S. 116-143.3(2), G.S. 116-143.3(a)(2), who is abiding in this State incident
2 to active military duty at the time the application is submitted, provided the
3 student shares the abode of that parent; eligibility to remain enrolled in the
4 School shall terminate at the end of any school year during which a student
5 becomes a nonresident of the State. The Board of Trustees shall ensure,
6 insofar as possible without jeopardizing admission standards, that an equal
7 number of qualified applicants is admitted to the program and to the
8 residential summer institutes in science and mathematics from each of North
9 Carolina's congressional districts. In no event shall the differences in the
10 number of qualified applicants offered admission to the program from each of
11 North Carolina's congressional districts be more than two and one-half
12 percentage points from the average number per district who are offered
13 admission.

14"

15 **SECTION 35.3.(e)** G.S. 143B-1224 reads as rewritten:

16 **"§ 143B-1224. Definitions.**

17 As used in this Part the terms defined in this section shall have the following meaning:

18 ...

19 (2) "Armed Forces" means the United States Army, Navy, Marine Corps, Air
20 Force, Space Force, and Coast Guard, including their reserve components.

21"

22
23 **SECTION 35.3.(f)** G.S. 1-82 reads as rewritten:

24 **"§ 1-82. Venue in all other cases.**

25 In all other cases the action must be tried in the county in which the plaintiffs or the
26 defendants, or any of them, reside at its commencement, or if none of the defendants reside in
27 the State, then in the county in which the plaintiffs, or any of them, reside; and if none of the
28 parties reside in the State, then the action may be tried in any county which the plaintiff designates
29 in the plaintiff's summons and complaint, subject to the power of the court to change the place
30 of trial, in the cases provided by statute; provided that any person who has resided on or been
31 stationed in a United States Army, Navy, Marine Corps, Coast Guard, Space Force, or Air Force
32 installation or reservation within this State for a period of one (1) year or more next preceding
33 the institution of an action shall be deemed a resident of the county within which such installation
34 or reservation, or part thereof, is situated and of any county adjacent to such county where such
35 person stationed at such installation or reservation lives in such adjacent county, for the purposes
36 of this section. The term person shall include military personnel and the spouses and dependents
37 of such personnel."

38 **SECTION 35.3.(g)** G.S. 14-395 is repealed.

39 **SECTION 35.3.(h)** G.S. 45-21.12A reads as rewritten:

40 **"§ 45-21.12A. Power of sale barred during periods of military service.**

41 ...

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

43 (1) Military service. –

44 a. In the case of a member of the United States Army, Navy, Air Force,
45 Marine Corps, Space Force, or Coast Guard:

46"

47 **SECTION 35.3.(i)** G.S. 47-81.2 reads as rewritten:

48 **"§ 47-81.2. Before United States Army, etc., officers, and other service members.**

49 In all cases where instruments and writings have been proved or acknowledged before any
50 commissioned officer of the United States Army, Navy, Air Force, Marine Corps, Space Force,
51 or Coast Guard or any officer of the United States Merchant Marine having the rank of lieutenant,

1 senior grade, or higher, such proofs or acknowledgments, where valid in other respects, are
2 hereby ratified, confirmed and declared valid. All proofs or acknowledgments made by any
3 military personnel authorized by the Congress of the United States are hereby ratified, confirmed,
4 and declared valid and shall not require the affixation of a seal where valid in other respects."

5 **SECTION 35.3.(j)** G.S. 50-18 reads as rewritten:

6 "**§ 50-18. Residence of military personnel; payment of defendant's travel expenses by**
7 **plaintiff.**

8 In any action instituted and prosecuted under this Chapter, allegation and proof that the
9 plaintiff or the defendant has resided or been stationed at a United States Army, Navy, Marine
10 Corps, Coast Guard, Space Force, or Air Force installation or reservation or any other location
11 pursuant to military duty within this State for a period of six months next preceding the institution
12 of the action shall constitute compliance with the residence requirements set forth in this Chapter;
13 provided that personal service is had upon the defendant or service is accepted by the defendant,
14 within or without the State as by law provided.

15"

16 **SECTION 35.3.(k)** G.S. 50A-351 reads as rewritten:

17 "**§ 50A-351. Definitions.**

18 The following definitions apply in this Article:

19 ...

20 (18) Uniformed service. – Service which includes (i) the active and reserve
21 components of the United States Army, Navy, Air Force, Marine Corps, Space
22 Force, or Coast Guard of the United States; Guard; (ii) the Merchant Marine,
23 the commissioned corps of the Public Health Service, or the commissioned
24 corps of the National Oceanic and Atmospheric Administration of the United
25 States; or (iii) the National Guard."

26 **SECTION 35.3.(l)** G.S. 88B-25 reads as rewritten:

27 "**§ 88B-25. Exemptions.**

28 The following persons are exempt from the provisions of this Chapter while engaged in the
29 proper discharge of their professional duties:

30 ...

31 (4) Commissioned medical or surgical officers of the United States Army, Air
32 Force, Navy, ~~Marine, Marine Corps, Space Force,~~ or Coast Guard.

33"

34 **SECTION 35.3.(m)** G.S. 115C-12 reads as rewritten:

35 "**§ 115C-12. Powers and duties of the Board generally.**

36 The general supervision and administration of the free public school system shall be vested
37 in the State Board of Education. The State Board of Education shall establish all needed rules
38 and regulations for the system of free public schools, subject to laws enacted by the General
39 Assembly. In accordance with Sections 7 and 8 of Article III of the North Carolina Constitution,
40 the Superintendent of Public Instruction, as an elected officer and Council of State member, shall
41 administer all needed rules and regulations adopted by the State Board of Education through the
42 Department of Public Instruction. The powers and duties of the State Board of Education are
43 defined as follows:

44 ...

45 (18) Duty to Develop and Implement a Uniform Education Reporting System,
46 Which Shall Include Standards and Procedures for Collecting Fiscal and
47 Personnel Information. –

48 ...

49 f. The State Board of Education shall develop a process for local school
50 administrative units to annually identify enrolled military-connected
51 students using the Uniform Education Reporting System. The

1 identification of military-connected students shall not be used for the
 2 purposes of determining school achievement, growth, and
 3 performance scores as required by G.S. 115C-12(9)c1. The
 4 identification of military-connected students is not a public record
 5 within the meaning of G.S. 132-1 and shall not be made public by any
 6 person, except as permitted under the provisions of the Family
 7 Educational and Privacy Rights Act of 1974, 20 U.S.C. § 1232g. For
 8 purposes of this section, a "military-connected student" means a
 9 student enrolled in a local school administrative unit who has a parent,
 10 step-parent, sibling, or any other person who resides in the same
 11 household serving in the active or reserve components of the United
 12 States Army, Navy, Air Force, Marine Corps, Coast Guard, Space
 13 Force, or National Guard. Beginning in the 2016-2017 school year,
 14 and annually thereafter, the identification of military-connected
 15 students for all local school administrative units shall be completed by
 16 January 31 of each school year.

17"

18 **SECTION 35.3.(n)** G.S. 143B-1311 reads as rewritten:

19 **"§ 143B-1311. Membership.**

20 ...

21 (b) The voting members of the Commission shall be appointed as follows:

22 (1) Thirteen members appointed by the Governor, consisting of:

23 ...

24 h. One person who is a resident of North Carolina with a long-term
 25 connection to the State and who is a current or retired member of a
 26 reserve component of the United States Air Force, Army, Navy, Space
 27 Force, or ~~Marines~~ Marine Corps and who is involved in a military
 28 affairs organization or involved in military issues through civic,
 29 commercial, or governmental relationships.

30"

31 **SECTION 35.3.(o)** G.S. 163-258.2 reads as rewritten:

32 **"§ 163-258.2. Definitions.**

33 As used in this Article:

34 ...

35 (6) "Uniformed service" means any of the following:

36 a. Active and reserve components of the United States Army, Navy, Air
 37 Force, Marine Corps, Space Force, and ~~Coast Guard of the United~~
 38 ~~States Guard.~~

39 ...

40 (7) "Uniformed-service voter" means an individual who is qualified to vote and
 41 is one of the following:

42 a. A member of the active or reserve components of the United States
 43 Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard
 44 ~~of the United States~~ who is on active duty.

45"

46 **RENOVATE FAYETTEVILLE STATE VETERANS HOME**

47 **SECTION 35.4.(a)** Notwithstanding any provision of this act or the Committee
 48 Report described in Section 45.2 of this act to the contrary, there is appropriated from the cash
 49 balance of the North Carolina Veterans Home Trust Fund, Budget Code 63050, to the Department
 50

1 of Military and Veterans Affairs, the sum of forty-two million dollars (\$42,000,000) in
2 nonrecurring funds to renovate and repair the Fayetteville State Veterans Home.

3 **SECTION 35.4.(b)** Section 40.5(c) of S.L. 2021-180 is repealed.

4
5 **DMVA/ECONOMIC DEVELOPMENT PARTNERSHIP OF NC TRANSFER**

6 **SECTION 35.5.** G.S. 143B-1217 reads as rewritten:

7 "**§ 143B-1217. Military Presence Stabilization Fund.**

8 ...

9 (b) Notwithstanding the provisions of G.S. 143B-1214 and subsection (a) of this section,
10 funds appropriated to the Military Presence Stabilization Fund may be used for the following
11 purposes:

12 ...

13 ~~(8) Fully fund a position at the North Carolina Economic Development Center.~~

14"

15
16 **PART XXXVI. REVENUE**

17
18 **WHITE GOODS DISPOSAL TAX WITHHOLDING INCREASE**

19 **SECTION 36.1.** G.S. 105-187.24 reads as rewritten:

20 "**§ 105-187.24. Use of tax proceeds.**

21 The Secretary shall distribute the taxes collected under this Article, less the Department of
22 Revenue's allowance for administrative expenses, in accordance with this section. The Secretary
23 may retain the Department's cost of collection, not to exceed ~~four hundred twenty five thousand~~
24 ~~dollars (\$425,000)~~ five hundred thousand dollars (\$500,000) a year, as reimbursement to the
25 Department.

26"

27
28 **SCRAP TIRE DISPOSAL TAX WITHHOLDING INCREASE**

29 **SECTION 36.2.** G.S. 105-187.19 reads as rewritten:

30 "**§ 105-187.19. Use of tax proceeds.**

31 (a) The Secretary shall distribute the taxes collected under this Article, less the allowance
32 to the Department of Revenue for administrative expenses, in accordance with this section. The
33 Secretary may retain the cost of collection by the Department, not to exceed ~~four hundred twenty~~
34 ~~five thousand dollars (\$425,000)~~ five hundred thousand dollars (\$500,000) a year, as
35 reimbursement to the Department.

36"

37
38 **DOR/DIT MICROSOFT LICENSING**

39 **SECTION 36.3.(a)** Notwithstanding G.S. 143B-1325(d), not later than July 1, 2026,
40 the Department of Revenue (hereinafter "DOR") shall enter into a memorandum of understanding
41 with the Department of Information Technology (hereinafter "DIT") establishing the terms for
42 the provision and management of Microsoft software licenses under statewide agreements
43 negotiated by DIT.

44 **SECTION 36.3.(b)** Not later than March 1, 2027, DOR, in conjunction with the
45 State Chief Information Officer, shall report to the Joint Legislative Oversight Committee on
46 General Government, the Joint Legislative Oversight Committee on Information Technology,
47 and the Fiscal Research Division on other services provided by DIT that could be used by DOR.

48
49 **REGULATION OF VAPOR PRODUCTS**

50 **SECTION 36.4.(a)** G.S. 143B-245.11 reads as rewritten:

51 "**§ 143B-245.11. Certification process.**

1 ...
 2 (f) Notification of Compliance with Changes to Federal Law. – If federal requirements
 3 for vapor products or consumable products are changed, each manufacturer of a vapor product
 4 or consumable product sold for retail sale in North Carolina shall submit documentation to the
 5 Secretary substantiating compliance with those federal requirements within 30 days of the date
 6 mandated for compliance under the federal requirements. Failure to substantiate compliance with
 7 changed federal requirements shall be grounds for removal of the manufacturer and its vapor
 8 product or consumable product from the directory established pursuant to G.S. 143B-245.12. For
 9 the purposes of this subsection, federal requirements for vapor products or consumable products
 10 are any modifications to 21 U.S.C. § 387j or other federal statutes regulating vapor products or
 11 consumable products or any modification of regulations or other official federal guidance that
 12 change requirements or standards for federal compliance of a vapor product or consumable
 13 product."

14 **SECTION 36.4.(b)** G.S. 143B-245.12 reads as rewritten:
 15 "**§ 143B-245.12. Public directory.**

16 ...
 17 (b) Exclusion from the Directory. – No manufacturer or the manufacturer's consumable
 18 products or vapor products shall be included or retained in the directory if the Secretary
 19 determines that any of the following apply:

20 ...
 21 (6) The manufacturer failed to submit documentation to the Secretary
 22 substantiating compliance with changed federal requirements as required by
 23 G.S. 143B-245.11(f).

24"
 25

26 TAX FRAUD ANALYTICS

27 **SECTION 36.5.** Of the funds appropriated in this act to the Department of Revenue,
 28 the sum of four million four hundred thousand dollars (\$4,400,000) in recurring funds for each
 29 fiscal year of the 2025-2027 fiscal biennium shall be used to continue and expand the
 30 Department's tax fraud analysis contract through the Government Data Analytics Center
 31 (GDAC). These funds shall be used in each fiscal year to fund detection analytics, software,
 32 information reporting, collections case management, collections optimization, managed services,
 33 and technical infrastructure. The Department of Revenue shall continue to coordinate with the
 34 GDAC and utilize the subject matter expertise and technical infrastructure available through
 35 existing GDAC public-private partnerships for fraud detection and analytics infrastructure.
 36

37 PART XXXVII. SECRETARY OF STATE

38 SOS/PUBLICATIONS DIVISION DUTIES & MODERNIZE SOS STATUTES

39 **SECTION 37.1.(a)** G.S. 65-111 reads as rewritten:

40 "**§ 65-111. County commissioners to provide list of public and abandoned cemeteries.**

41 Each board of county commissioners shall have the following duties and responsibilities:

42 ...
 43 (3) ~~To furnish to the Department and the Publications Division in the Department~~
 44 ~~of the Secretary of State copies of the lists of such public and abandoned~~
 45 ~~cemeteries, to the end that it may furnish to the boards of county~~
 46 ~~commissioners, for the use of the persons in control of such cemeteries,~~
 47 ~~suitable literature, suggesting methods of taking care of such places."~~
 48

49 **SECTION 37.1.(b)** G.S. 147-36 reads as rewritten:

50 "**§ 147-36. Duties of Secretary of State.**

51 It is the duty of the Secretary of State:

- 1 (1) To perform such duties as may then be devolved upon the Secretary by
2 resolution of the two houses of the General Assembly ~~or either of~~
3 ~~them.~~ Assembly.
- 4 (2) To attend the Governor, whenever required by the Governor, for the purpose
5 of receiving documents that have passed the great seal.
- 6 (3) To receive and keep all conveyances and mortgages belonging to the State.
- 7 (4) To distribute annually the statutes and the legislative journals.
- 8 (5) To distribute the acts of Congress received at the Secretary's office in the
9 manner prescribed for the statutes of the State.
- 10 (6) ~~To keep a receipt book, in which the Secretary shall take from every person~~
11 ~~to whom a grant shall be delivered, a receipt for the same; but may enclose~~
12 ~~grants by mail in a registered letter at the expense of the grantee, unless~~
13 ~~otherwise directed, first entering the same upon the receipt book.~~
- 14 ...
- 15 (9) To maintain a Division of ~~Publications to compile data on the State's several~~
16 ~~governmental agencies and for legislative reference.~~ Publications.
- 17"

18 **SECTION 37.1.(c)** G.S. 147-50 reads as rewritten:

19 **"§ 147-50. Publications of State officials and department heads furnished to certain**
20 **institutions, agencies, etc.**

21 (a) Every State official and every head of a State department, ~~institution~~ institution, or
22 agency issuing any printed report, bulletin, map, or other publication shall, ~~on~~ upon request,
23 furnish printed copies of such reports, bulletins, maps or other publications to the following
24 institutions in the number set out below:

| | |
|--|---------------------------------------|
| 25 University of North Carolina at Chapel Hill | 25 copies; |
| 26 University of North Carolina at Charlotte | 2 copies; |
| 27 University of North Carolina at Greensboro | 2 copies; |
| 28 North Carolina State University at Raleigh | 2 copies; |
| 29 East Carolina University at Greenville | 2 copies; |
| 30 Duke University | 25 copies; |
| 31 Wake Forest College | 2 copies; |
| 32 Davidson College | 2 copies; |
| 33 North Carolina Supreme Court Library | 2 copies; |
| 34 North Carolina Central University | 5 copies; |
| 35 Western Carolina University | 2 copies; |
| 36 Appalachian State University | 2 copies; |
| 37 University of North Carolina at Wilmington | 2 copies; |
| 38 North Carolina Agricultural and Technical | |
| 39 State University | 2 copies; |
| 40 Legislative Library | 2 copies; <u>2 copies.</u> |

41 (b) ~~and~~ An institution listed in subsection (a) of this section may request an electronic
42 copy in lieu of any printed report, bulletin, map, or other publication.

43 (c) State official and heads of State departments, institutions, and agencies shall furnish
44 printed copies of reports, bulletins, maps, and other publications to governmental officials,
45 agencies and departments ~~agencies, departments, and to other educational institutions,~~ in the
46 discretion of the issuing official and subject to the supply available, such number as may be
47 ~~requested: and Provided that five sets of all such reports, bulletins and publications heretofore~~
48 ~~issued, insofar as the same are available and without necessitating reprinting, shall be furnished~~
49 ~~to the North Carolina Central University.~~ requested. Governmental officials, agencies,
50 departments, and other educational institutions may request an electronic copy in lieu of printed
51 copies.

1 (d) The provisions ~~in~~of this section shall not be interpreted to include any of the appellate
2 division reports or advance sheets distributed by the Administrative Office of the Courts. Except
3 for reports, bulletins, and other publications issued for free distribution, this section shall not
4 apply to the North Carolina State Museum of Natural Sciences."

5 **SECTION 37.1.(d)** G.S. 147-34, 147-41, 147-43, and 147-54 are repealed.

6 **SECTION 37.1.(e)** The Office of the Secretary of State shall retain at least one
7 printed copy or an electronic copy of all records collected pursuant to G.S. 65-111(3), 147-36(6),
8 147-41, 147-43, and 147-54 that are in the possession of the Office prior to the date this act
9 becomes law.

10 11 **SOS/PAPER FILING FEE**

12 **SECTION 37.2.(a)** Article 2 of Chapter 55D of the General Statutes is amended by
13 adding a new section to read:

14 **"§ 55D-19. Paper filing fee.**

15 The Office of the Secretary of State may collect a fee of up to ten dollars (\$10.00) each time
16 a document is submitted for filing in typewritten or printed form when that same document could
17 be accepted for filing in electronic form. Funds collected under this section shall be deposited in
18 a new budget fund as created by the Office of State Budget and Management within Budget Code
19 23200 and shall only be used for the following purposes: (i) to support activities that will reduce
20 the processing or response time for services provided by the Office, (ii) to improve or streamline
21 the online filing system maintained by the Office, or (iii) to cover costs directly associated with
22 the handling of mail by the Office."

23 **SECTION 37.2.(b)** This section becomes effective January 1, 2026.

24 25 **NORTH CAROLINA SMALL BUSINESS ENTERPRISE PROGRAM**

26 **SECTION 37.3.(a)** G.S. 147-36 reads as rewritten:

27 **"§ 147-36. Duties of Secretary of State.**

28 It is the duty of the Secretary of State:

29 ...

30 (8a) To certify businesses eligible to participate in the North Carolina Small
31 Business Enterprise Program and to maintain a record of those businesses
32 certified.

33"

34 **SECTION 37.3.(b)** Article 4 of Chapter 147 of the General Statutes is amended by
35 adding a new section to read:

36 **"§ 147-54.7B. North Carolina Small Business Enterprise Program; certification.**

37 (a) The Department of the Secretary of State shall establish a certification program for
38 small businesses, which shall be known as the North Carolina Small Business Enterprise
39 Program. The purpose of the Program is to provide small businesses with access to State contracts
40 and educational opportunities and resources. To be certified as a small business, the business
41 shall:

42 (1) Be headquartered in this State.

43 (2) Have an annual net income that is less than one million five hundred thousand
44 dollars (\$1,500,000), after the cost of goods sold is deducted.

45 (3) Have 100 or fewer employees.

46 (4) Be organized for profit.

47 (b) A small business certification shall be renewed every two years. The Department shall
48 not charge a fee for certification under this section.

49 (c) The Department shall publish a list of the small businesses certified under this section
50 on its website for use by State departments, agencies, and institutions; political subdivisions of
51 the State; and other interested persons. Only businesses certified in accordance with this section

1 shall be considered by State departments, agencies, and institutions and political subdivisions of
2 the State as small businesses for purposes of participation in State and public contracts under
3 Article 3 and Article 8 of Chapter 143 of the General Statutes; provided, however, nothing in this
4 section shall be construed to require the use of a small business in a State or public contract if the
5 small business is not the lowest responsible, responsive bidder or otherwise fails to meet the
6 requirements of the contract proposal.

7 (d) The Department may adopt rules to implement the provisions of this section in
8 accordance with Chapter 150B of the General Statutes."

9 **SECTION 37.3.(c)** The Department of Administration and the Office of the
10 Secretary of State shall enter into a memorandum of understanding which provides that the Office
11 shall provide to the Department the names of and other relevant information about small
12 businesses certified under G.S. 147-54.7B, as enacted in subsection (b) of this section, for
13 inclusion in the State's e-procurement service.

14 **SECTION 37.3.(d)** Not later than 15 days after the date this act becomes law, the
15 Department of Administration shall provide to the Office of the Secretary of State the names of
16 and other relevant information about small businesses that were certified by the North Carolina
17 Small Business Enterprise Program prior to the date this act becomes law for inclusion on the
18 Office's website, as provided in G.S. 147-54.7B, as enacted in subsection (b) of this section.

19 **PART XXXVIII. TREASURER**

20 **TREASURER INVESTMENT MODERNIZATION PART I: TECHNICAL** 21 **REORGANIZATION OF ARTICLE 6 OF CHAPTER 147 OF THE GENERAL** 22 **STATUTES**

23 **SECTION 38.1.(a)** Article 6 of Chapter 147 of the General Statutes is amended to
24 add the following new Parts:

- 25 (1) Part 1, to be entitled "General" and consisting of G.S. 147-65 through
26 G.S. 147-69.
- 27 (2) Part 2, to be entitled "Investments and Funds" and consisting of G.S. 147-69.1
28 through G.S. 147-69.7.
- 29 (3) Part 3, to be entitled "Reports and Audits" and consisting of G.S. 147-69.8
30 through G.S. 147-69.70.
- 31 (4) Part 4, to be entitled "North Carolina Investment Authority" and consisting of
32 G.S. 147-70.1 through G.S. 147-73.2.
- 33 (5) Part 5, to be entitled "Department Bookkeeping and Deposits" and consisting
34 of G.S. 147-74 through G.S. 147-86.2.

35 **SECTION 38.1.(b)** G.S. 147-65 is recodified as G.S. 147-65.2.

36 **SECTION 38.1.(c)** G.S. 147-66 is repealed.

37 **SECTION 38.1.(d)** G.S. 147-69.3A is recodified as G.S. 147-67.1.

38 **SECTION 38.1.(e)** G.S. 147-69.11 is recodified as G.S. 147-73.2.

39 **SECTION 38.1.(f)** G.S. 147-69.7 is recodified as G.S. 147-70.6.

40 **SECTION 38.1.(g)** G.S. 147-70 is recodified as G.S. 147-68.3.

41 **SECTION 38.1.(h)** G.S. 147-71 is recodified as G.S. 147-68.4.

42 **SECTION 38.1.(i)** G.S. 147-72 is repealed.

43 **SECTION 38.1.(j)** G.S. 147-73 is repealed.

44 **SECTION 38.1.(k)** G.S. 147-75 is recodified as G.S. 147-66.2.

45 **SECTION 38.1.(l)** G.S. 147-75.1 is recodified as G.S. 147-68.5.

46 **SECTION 38.1.(m)** G.S. 147-86.2 is recodified as G.S. 147-68.6.

47 **SECTION 38.1.(n)** Subsection (i2) of G.S. 147-69.3 is recodified as subsection (b)
48 of G.S. 147-65.2, as created by subsection (b) of this section.

49 **SECTION 38.1.(o)** This section is effective when it becomes law.
50
51

1
2 **TREASURER INVESTMENT MODERNIZATION PART II: CREATION OF THE**
3 **NORTH CAROLINA INVESTMENT AUTHORITY**

4 **SECTION 38.2.(a)** Part 1 of Article 6 of Chapter 147 of the General Statutes, as
5 created and amended by Section 38.1 of this act, is amended by adding a new section to read:

6 **"§ 147-65.1. Definitions.**

7 The following definitions apply in this Article:

- 8 (1) Board of Directors. – The Board of Directors of the North Carolina Investment
9 Authority.
10 (2) Chief Investment Officer or CIO. – The Chief Investment Officer of the
11 Investment Authority.
12 (3) Department. – The Department of State Treasurer.
13 (4) Escheats Fund. – The Escheats Fund established under Article 1A of Chapter
14 116B of the General Statutes.
15 (5) Investment Authority. – The North Carolina Investment Authority,
16 established under Part 4 of this Article.
17 (6) Reserved for future codification purposes.
18 (7) Retirement Systems. – This term includes all of the following retirement
19 systems:
20 a. The Teachers' and State Employees' Retirement System, established
21 under Article 1 of Chapter 135 of the General Statutes.
22 b. The Consolidated Judicial Retirement System, established under
23 Article 4 of Chapter 135 of the General Statutes.
24 c. The North Carolina Firefighters' and Rescue Workers' Pension Fund,
25 established under Article 86 of Chapter 58 of the General Statutes.
26 d. The Local Governmental Employees' Retirement System, established
27 under Article 3 of Chapter 128 of the General Statutes.
28 e. The Legislative Retirement System of North Carolina, established
29 under Article 1A of Chapter 120 of the General Statutes.
30 f. The North Carolina National Guard Pension Fund, established under
31 Article 3 of Chapter 127A of the General Statutes.
32 g. The Registers of Deeds' Supplemental Pension Fund, established
33 under Article 3 of Chapter 161 of the General Statutes.
34 h. The Retiree Health Benefit Fund, established under G.S. 135-7(f).
35 i. The North Carolina Teachers' and State Employees' Benefit Trust,
36 established under G.S. 135-7(g).
37 (8) Treasurer. – The State Treasurer."

38 **SECTION 38.2.(b)** Part 4 of Article 6 of Chapter 147 of the General Statutes, as
39 created and amended by Section 38.1 of this act, reads as rewritten:

40 "Part 4. North Carolina Investment Authority.

41 **"§ 147-70.1. Creation of Investment Authority.**

42 (a) Creation. – The North Carolina Investment Authority is created as a body corporate
43 and politic having the powers and jurisdiction as provided under this Article or any other law.
44 The Investment Authority is a State agency for the performance of essential governmental and
45 public functions. The Investment Authority is located within, but independent from the control
46 of, the Department of State Treasurer. The Investment Authority shall have perpetual succession.

47 (b) Independence. – The Investment Authority, in carrying out its statutory
48 responsibilities, shall be independent of any fiscal control exercised by the Director of the
49 Budget, the Department of Administration, and the Department of State Treasurer, including for
50 organizational, staffing, procurement, and budgetary purposes. Except as provided under
51 subsection (c) of this section and unless otherwise explicitly provided by law, the Investment

1 Authority is exempt from the State Budget Act, and the provisions of Chapter 143C of the
2 General Statutes do not apply to the Investment Authority.

3 (c) Fiduciary Funds. – In order for the Investment Authority to effectively operate the
4 investment programs under its management, all funds while under management of the Investment
5 Authority are Fiduciary Funds described under subdivisions (8) through (10) of G.S. 143C-1-3(a)
6 and shall be accounted for as specified in G.S. 147-69.3(f).

7 **"§ 147-70.2. Powers and duties of the Investment Authority.**

8 (a) In addition to the authority granted to the Investment Authority under this Article or
9 any other law, the Investment Authority shall have all of the powers necessary to execute the
10 provisions of this Part, including, at a minimum, the following powers:

11 (1) The right to sue and be sued.

12 (2) To take, demand, receive, and possess all kinds of real and personal property
13 necessary and proper for its purposes.

14 (3) To bargain, sell, grant, alienate, or dispose of all real and personal property as
15 it may lawfully acquire.

16 (b) The Investment Authority shall have the right to acquire fidelity bonds, fiduciary
17 insurance, directors' and officers' insurance, or errors and omissions coverage, as determined by
18 the Investment Authority board. This right is independent of any purchase of insurance by the
19 State Treasurer under G.S. 147-67.1.

20 (c) Pursuant to G.S. 143B-1320(b), the Investment Authority shall be exempt from the
21 provisions of Article 15 of Chapter 143B of the General Statutes.

22 **"§ 147-70.3. Taxation of Investment Authority.**

23 (a) Property owned or acquired by the Authority is exempt from all taxes imposed by the
24 State or any political subdivision of the State.

25 (b) The Investment Authority shall not be subject to State income taxes.

26 (c) This section shall not be construed to apply in any way to individual members of the
27 Board of Directors or any employee of the Investment Authority.

28 **"§ 147-70.4. Confidentiality of Investment Authority records.**

29 Any record or other information received or generated by the Investment Authority in order
30 to negotiate at arm's length investment transactions that constitute a trade secret, as defined in
31 G.S. 66-152, is not public record and is exempt from the requirements of Chapter 132 of the
32 General Statutes until the applicable negotiation is completed and unless the record or
33 information substantiates a conflict with the duties of the Investment Authority under
34 G.S. 147-70.6(a).

35 **"§ 147-70.5. Criminal record checks.**

36 (a) The Investment Authority may obtain from the State and National Repositories of
37 Criminal Histories or from any other lawful source the criminal history of any of the following
38 individuals:

39 (1) A current or prospective permanent or temporary employee of the Investment
40 Authority.

41 (2) A contractor with the Investment Authority.

42 (3) An employee or agent of a contractor with the Investment Authority who is
43 performing or will perform work for the Investment Authority.

44 (4) A volunteer of the Investment Authority.

45 (5) Any other individual otherwise engaged by the Investment Authority who will
46 have access to health or financial information or data maintained by the
47 Investment Authority that is confidential or otherwise nonpublic.

48 (b) The Investment Authority may deny employment to or dismiss any individual
49 identified under subdivisions (1), (2), (4), and (5) of subsection (a) of this section who refuses to
50 consent to a criminal history record check or to the use of fingerprints or other identifying

1 information required by the State or National Repositories of Criminal Histories. Any refusal
2 shall constitute just cause for the employment denial or the dismissal from employment.

3 (c) The Investment Authority may extend a conditional offer of employment pending the
4 results of a criminal history record check authorized by this section.

5 ...

6 **§ 147-71.1. Board of Directors.**

7 (a) Membership. – The Investment Authority shall be governed by a Board of Directors.
8 The Board of Directors shall consist of the following voting members:

9 (1) The State Treasurer, who shall serve as an ex officio member.

10 (2) One member appointed by the General Assembly upon the recommendation
11 of the Speaker of the House of Representatives in accordance with
12 G.S. 120-121.

13 (3) One member appointed by the General Assembly upon the recommendation
14 of the President Pro Tempore of the Senate in accordance with G.S. 120-121.

15 (4) One member appointed by the Governor, subject to confirmation by the
16 General Assembly by joint resolution.

17 (5) One member appointed by the State Treasurer, subject to confirmation by the
18 General Assembly by joint resolution.

19 (b) Terms. – The four appointive directors of the Board of Directors shall be appointed
20 for staggered six-year terms, except for the initial term. The initial term of the director appointed
21 by the President Pro Tempore of the Senate is one year. The initial term of the director appointed
22 by the Speaker of the House of Representatives is two years. The initial term of the director
23 appointed by the State Treasurer is three years. The initial term of the director appointed by the
24 Governor is four years. An appointive director whose term has expired but whose qualified
25 successor has not been appointed shall continue to serve on the Board of Directors until a
26 qualified successor is duly appointed, including by the State Treasurer after a holdover period of
27 six months or more as provided for under subsection (e) of this section.

28 (c) Qualifications to Serve. – No appointed director of the Board of Directors shall hold
29 any other public office in North Carolina, except that an appointed director may also have
30 membership on either or both of the Boards of Trustees under G.S. 128-28 and G.S. 135-6. All
31 appointed members of the Board of Directors shall have expert knowledge of investments and a
32 minimum of a 10-year track record of successful management in pension, endowment, or other
33 relevant investment management fields.

34 (d) Disqualifications to Serve. – An individual is not eligible to serve on the Board of
35 Directors if any of the following apply to that individual:

36 (1) The individual has been indicted or charged with, been convicted of, pleaded
37 guilty or nolo contendere to, or forfeited bail concerning a felony, or a
38 misdemeanor involving fraud, theft, or dishonesty under the laws of any
39 jurisdiction in the United States.

40 (2) The individual has had a judgment entered against him or her by a court of
41 competent jurisdiction in a civil matter involving a breach of fiduciary duties.

42 (3) The individual has been the subject of an adverse action by the Securities and
43 Exchange Commission which resulted in any sanction, payment of a fine,
44 injunction, or other negative finding, whether individually or as a partner,
45 principal member, managing director, or other position of leadership of any
46 entity subject to the penalty or finding.

47 (4) The individual, or the individual's spouse or immediate family member, is or
48 becomes employed by the Department of State Treasurer or by a service
49 provider engaged to invest or assist in the oversight of assets overseen by the
50 Investment Authority.

1 (5) The individual, or the individual's spouse or immediate family member, is an
2 endorser, obligor, or provider of surety for, or is a borrower of, any money
3 loaned to or borrowed from the assets overseen by the Board of Directors.

4 (d1) Removal of Appointive Members. – A duly appointed member of the Board of
5 Directors may be removed by the applicable appointing authority for misfeasance, malfeasance,
6 or nonfeasance.

7 (e) Vacancies. – Any vacancy in a position held by an appointive member shall be filled
8 by a new appointment made by the applicable appointing authority for the vacant seat. If a seat
9 on the Board of Directors is vacant or held over for six months or more without an appointment
10 by the applicable appointing authority of an individual meeting the qualifications in this section,
11 then the State Treasurer may nominate a member for approval by the Board of Directors. Any
12 individual appointed to fill a vacancy shall serve only for the unexpired term. A vacancy
13 automatically occurs upon the death or resignation of a member of the Board of Directors or upon
14 the failure of a member of the Board of Directors to do any of the following:

15 (1) Attend meetings for three consecutive meetings unless excused by majority
16 vote of the other Board of Directors members.

17 (2) Cure a conflict of interest within 30 days of identification of the conflict.

18 (3) Agree to abide by the ethics policy adopted by the Board of Directors.

19 (f) Reappointment. – Any member of the Board of Directors is eligible for
20 reappointment, except that no appointive member of the Board of Directors may serve for more
21 than two consecutive, full, six-year terms without at least a one-year break in membership on the
22 Board of Directors.

23 (g) Oath. – Each appointive member of the Board of Directors shall take an oath of office
24 to administer the duties of office faithfully and impartially, and a record of the oath shall be filed
25 in the office of the Secretary of State.

26 (h) Officers. – The following shall apply to officers of the Board of Directors:

27 (1) The State Treasurer shall serve as chair of the Board of Directors.

28 (2) The State Treasurer shall designate a vice-chair from among the remaining
29 members of the Board of Directors. The term of the vice-chair extends to the
30 earlier of either three years or the date of expiration of the vice-chair's then
31 current term as a member of the Board of Directors. In the absence of the State
32 Treasurer or the Treasurer's designee, the vice-chair shall preside over the
33 proceedings of the Board of Directors.

34 (3) The Board of Directors shall appoint and prescribe the duties of a secretary,
35 who need not be a member of the Board of Directors. The secretary is the
36 custodian of all books, documents, and papers filed with the Board of
37 Directors and the minute book or journal of the Board of Directors. The
38 secretary shall keep a record of the proceedings of the Board of Directors. The
39 secretary has the authority to make copies of all minutes and other records and
40 documents of the Board of Directors.

41 (i) Designees. – The State Treasurer is authorized to appoint a designee. No other
42 member of the Board of Directors is authorized to appoint a designee.

43 (j) Compensation and Reimbursement. – Members of the Board of Directors shall
44 receive no compensation for their services. For attendance at meetings of the Board of Directors
45 or any committee of the Board of Directors, and for other services for the Investment Authority,
46 members of the Board of Directors shall receive per diem, subsistence, and travel allowances in
47 accordance with G.S. 138-5 or G.S. 138-6, as appropriate.

48 (k) Meetings and Voting. – The Board of Directors shall meet at least quarterly. A
49 meeting may be called by the State Treasurer or by a majority of the Board of Directors. The
50 State Treasurer or the Treasurer's designee shall establish the agenda for each meeting. A
51 minimum of three members of the Board of Directors is required for quorum. The affirmative

1 vote of a majority of the members of the Board of Directors present at a meeting of the Board of
2 Directors that has been duly called and held is required for any action taken by the Investment
3 Authority, except that the State Treasurer's vote shall prevail in the event of a tied vote.

4 **"§ 147-71.2. Duties of the Board of Directors.**

5 (a) Investment-Related Powers and Duties. – The Board of Directors has all of the
6 following investment-related powers and duties:

7 (1) The Board of Directors has the authority to approve all of the following:

8 a. Investment policy statements to include investment objectives,
9 strategic asset allocation, and policy benchmarks.

10 b. Risk budgets, including related limits for key risk indicators.

11 c. The appointment of a master global custodian bank.

12 d. Annual operating budgets for investment programs.

13 e. Market-oriented compensation plans.

14 (2) The Board of Directors shall periodically review all of the following:

15 a. Investment performance and investment manager appointment and
16 termination activities.

17 b. Investment strategies, policies, and tactical considerations.

18 c. Asset liability studies.

19 d. Performance benchmarks and key risk indicators.

20 e. Audited investment financial statements and audit reports pursuant to
21 G.S. 147-69.9.

22 f. Independent evaluation of governance, operations, and investment
23 practices.

24 g. Periodic cost-effectiveness studies of the investment programs.

25 (3) The Board of Directors shall appoint a Chief Investment Officer of the
26 Investment Authority.

27 (4) With respect to Retirement Systems' assets, at least biennially, the Board of
28 Directors shall approve an absolute risk operating range. The absolute risk
29 operating range shall be expressed in equity and debt allocation equivalency
30 terms and shall meet all of the following criteria:

31 a. The range is deemed appropriate in seeking to maximize long-term
32 returns.

33 b. The risk is not considered undue relative to other similarly situated
34 U.S. public pension funds. An assessment of compliance with this
35 requirement related to undue risk shall be construed in a manner
36 consistent with subsections (c) and (d) of G.S. 147-70.6.

37 c. In setting the range, the Board of Directors has taken into
38 consideration all of the factors affecting the funding of the Retirement
39 Systems and each of the Retirement Systems' ability to meet its
40 financial obligations.

41 (5) The Board of Directors shall utilize the approved absolute risk operating range
42 under subdivision (4) of this subsection to recommend investment return
43 assumptions to (i) the Board of Trustees of the Local Governmental
44 Retirement System, (ii) the Board of Trustees of the Teachers' and State
45 Employees' Retirement System, and (iii) the actuaries engaged to prepare
46 annual actuarial valuations.

47 (b) Annual Internal Budget. – The Board of Directors shall not approve an annual internal
48 budget for the Investment Authority that exceeds three basis points of a rolling three-year average
49 of total assets invested by the Investment Authority, unless the Investment Authority reasonably
50 determines that, because of special circumstances, including applicable investment restrictions,
51 it is clearly not prudent to do so. The annual internal budget includes expenditures directly

1 associated with services retained by the Investment Authority in accordance with subsection (c)
2 of this section and employee compensation and benefits. The Investment Authority's approved
3 annual internal budget as well as the Investment Authority's actual spending for the prior fiscal
4 year shall be annually reported to the Joint Legislative Commission on Governmental Operations,
5 the House of Representatives Appropriations Committee, the Senate Appropriations/Base
6 Budget Committee, and the Fiscal Research Division.

7 (c) Authority to Contract for Services. – Notwithstanding Article 3 of Chapter 143 of the
8 General Statutes, G.S. 114-2.3, and G.S. 147-17, the Investment Authority is authorized to
9 independently retain the services of appraisers, auditors, actuaries, attorneys, investment
10 consultants, statisticians, custodians, information technology professionals, or other persons or
11 firms possessing specialized skills or knowledge necessary for the proper administration of
12 investment programs created pursuant to this section.

13 (d) Setting of Compensation Plans. – In order to promote achievement of long-term
14 investment objectives and to retain key public employees with investment functions, the
15 Investment Authority is authorized to establish, consistent with the Investment Authority's
16 fiduciary duties, market-oriented compensation plans, including salaries and performance-related
17 bonuses, for employees possessing specialized skills or knowledge necessary for the proper
18 administration of investment programs. The design and administration of those compensation
19 plans shall be based on compensation studies conducted by a nationally recognized firm
20 specializing in public fund investment compensation. The compensation and other associated
21 employee benefits shall be apportioned directly from the investment program. The Investment
22 Authority shall report the salaries and bonuses paid to the Joint Legislative Oversight Committee
23 on General Government annually.

24 **"§ 147-71.3. Liability of Board of Directors.**

25 An individual serving on the Board of Directors shall be immune individually from civil
26 liability for monetary damages, except to the extent covered by insurance, for any act or failure
27 to act arising out of that service, except where any of the following apply:

- 28 (1) The individual was not acting within the scope of that individual's official
29 duties.
- 30 (2) The individual was not acting in good faith.
- 31 (3) The individual committed gross negligence or willful or wanton misconduct
32 that resulted in the damages or injury.
- 33 (4) The individual derived an improper personal financial benefit, either directly
34 or indirectly, from the transaction.
- 35 (5) The individual incurred the liability from the operation of a motor vehicle.

36 ...

37 **"§ 147-72.1. Chief Investment Officer.**

38 (a) Principal Executive Officer. – The Chief Investment Officer is the Investment
39 Authority's principal executive officer and is responsible to the Board of Directors.

40 (b) Appointment and Term. – The CIO shall be appointed by a majority vote of the Board
41 of Directors, and any vacancy may be so filled by the Board of Directors. An individual appointed
42 as the CIO shall have expert knowledge of investments and a minimum of a 15-year track record
43 of successful management in pension, endowment, or other relevant investment management
44 arenas. The term of employment and compensation of the CIO is set by the Board of Directors,
45 except that each term of employment shall be limited to five years or less. The CIO is eligible
46 for multiple terms of employment without interruption. The CIO may be removed from office by
47 the Board of Directors.

48 (c) Employment of Staff. – The Chief Investment Officer shall employ staff necessary to
49 assist the CIO and the Board of Directors in carrying out duties and responsibilities under this
50 Article or as prescribed in any other law. Unless otherwise provided by law, Investment Authority
51 employees shall serve at the pleasure of the CIO and any vacancies in these positions may be

1 filled by the CIO. The CIO may designate managerial, professional, and policy-making positions
2 as exempt from the North Carolina Human Resources Act, in accordance with G.S. 126-5(c1).
3 Compensation of employees is set by the CIO within the limits set by the compensation plan
4 approved by the Board of Directors under G.S. 147-71.2.

5 (d) Contract Negotiation. – The CIO may negotiate, renegotiate, and execute contracts
6 with third parties in the performance of the CIO's duties and responsibilities under this Article.
7 Any delegation of authority by the Board of Directors shall require Board of Directors approval
8 and shall reserve certain strategic decisions and extraordinary investment decisions to the Board
9 of Directors. Contract execution with master global custodian banks and external auditors shall
10 be done only after approved by the Board of Directors.

11 ...

12 "**§ 147-73.2. Ethics policies.**

13 To ensure that the ~~State Treasurer's Investment Authority~~ investment programs operate under
14 a strong governance framework with rigorous internal controls and a high degree of operational
15 transparency and are managed with the highest ethical and professional standards and in the most
16 efficient and effective manner possible, the ~~State Treasurer, after consultation with the~~
17 ~~Investment Advisory Committee, is authorized and required to~~ Board of Directors shall adopt
18 policies and procedures on the following topics:

- 19 (1) Requiring that the ~~Department of State Treasurer's Investment Management~~
20 ~~Division~~ Investment Authority adopt a code of ethics.
- 21 (2) Requiring all employees of the ~~Department~~ Investment Authority who have
22 responsibility for matters related to investments to be provided with training
23 with respect to the discharge of their duties and responsibilities to the funds.
- 24 (3) Governing gifts to employees of the ~~Department~~ Investment Authority who
25 have responsibility for matters related to investments.
- 26 (4) Imposing limitations on external investment managers' use of placement
27 agents and other persons that appear before the ~~Department~~ Investment
28 Authority to ensure that these persons play only a proper role in investment
29 opportunities.
- 30 (5) As a component of the investment due diligence, negotiations, and contracting
31 process, requiring an independent assessment of whether circumstances exist
32 that create a material risk that professional judgement or actions regarding a
33 potential investment arrangement's recommendation, approval, or execution
34 have been or will be unduly influenced by a direct or indirect personal
35 interest."

36 **SECTION 38.2.(c)** Rules, codes of ethics, policies, and procedures adopted by the
37 State Treasurer in effect on June 30, 2025, that are impacted by the change in authority from the
38 State Treasurer or Department of State Treasurer to the Investment Authority under this section
39 shall remain in effect until amended by law, amended by the Investment Authority, or repealed.

40 **SECTION 38.2.(d)** Before January 1, 2026, when the Investment Authority shall
41 begin to manage investments as provided under Section 38.3 of this act, funds appropriated to
42 the Department of State Treasurer and funds available to the Department of State Treasurer under
43 G.S. 147-69.3 may be used to pay any expenses of the Investment Authority.

44 **SECTION 38.2.(e)** G.S. 147-65.2, as created by Section 38.1(b) and Section 38.1(n)
45 of this act, reads as rewritten:

46 "**§ 147-65.2. Salary of State ~~Treasurer~~ Treasurer and certain Department employees.**

47 (a) State Treasurer. – The salary of the State Treasurer shall be as established in the
48 Current Operations Appropriations Act. In addition to the salary set by the General Assembly in
49 the Current Operations Appropriations Act, longevity pay shall be paid on the same basis as is
50 provided to employees of the State who are subject to the North Carolina Human Resources Act.

1 (b) ~~In order to promote achievement of long-term investment objectives and to retain key~~
 2 ~~public employees with investment functions, the Certain Departmental Employees. – The State~~
 3 ~~Treasurer is authorized to establish, consistent with the duties of the State Treasurer's fiduciary~~
 4 ~~duties, Treasurer as prescribed by law, market-oriented compensation plans, including salaries~~
 5 ~~and performance-related bonuses, for employees possessing specialized skills or knowledge~~
 6 ~~necessary for the proper administration of investment ~~programs, who shall be~~ programs. In~~
 7 ~~accordance with G.S. 126-5(c12), these employees are exempt from the classification and~~
 8 ~~compensation rules established by the Office of State Human Resources. The design and~~
 9 ~~administration of those compensation plans shall be based on compensation studies conducted~~
 10 ~~by a nationally recognized firm specializing in public fund investment compensation. The~~
 11 ~~compensation and other associated employee benefits shall be apportioned ~~directly from the~~~~
 12 ~~investment program, and paid equitably among the funds and programs utilizing the services of~~
 13 ~~these employees in a manner prescribed by the State Treasurer. The Treasurer shall report the~~
 14 ~~salaries and bonuses paid to the Joint Legislative Oversight Committee on General Government~~
 15 ~~annually."~~

16 **SECTION 38.2.(f)** G.S. 126-5 reads as rewritten:

17 "**§ 126-5. Employees subject to Chapter; exemptions.**

18 ...

19 (c1) Except as to Articles 6 and 7 of this Chapter, this Chapter does not apply to any of the
 20 following:

21 ...

22 (23) The Executive Administrator of the State Health Plan for Teachers and State
 23 Employees.

24 (24) Employees of the State Health Plan for Teachers and State Employees as
 25 designated by law or by the Executive Administrator of the Plan.

26 ...

27 (40) The Chief Investment Officer of the North Carolina Investment Authority
 28 established under Part 5 of Article 6 of Chapter 147 of the General Statutes.

29 (41) Employees of the North Carolina Investment Authority established under Part
 30 5 of Article 6 of Chapter 147 of the General Statutes who possess specialized
 31 skills or knowledge necessary for the proper administration of investment
 32 programs and who are employed in a position designated by the Chief
 33 Investment Officer as exempt in accordance with G.S. 147-72.1.

34 ...

35 (c12) Except as to G.S. 126-13, 126-14, 126-14.1, and Articles 6, 7, 14, 15, and 16 of this
 36 Chapter, this Chapter does not apply to employees of the Department of State Treasurer
 37 possessing specialized skills or knowledge necessary for the proper administration of investment
 38 programs and compensated pursuant to ~~G.S. 147-69.3(i2).~~ G.S. 147-65.2(b).

39"

40 **SECTION 38.2.(g)** G.S. 143C-1-3 is amended by adding a new subsection to read:

41 "(e) Notwithstanding subsections (a) and (b) of this section, funds under the management
 42 of the North Carolina Investment Authority are exempt from this Chapter and shall be accounted
 43 for as provided in Article 6 of Chapter 147 of the General Statutes."

44 **SECTION 38.2.(h)** This section is effective July 1, 2025, and subsections (e) and (f)
 45 of this section apply to employees hired on or after that date.

46
 47 **TREASURER INVESTMENT MODERNIZATION PART III: NORTH CAROLINA**
 48 **INVESTMENT AUTHORITY TO MANAGE INVESTMENTS AND BEGIN**
 49 **CARRYING OUT STATUTORY DUTIES JANUARY 1, 2026**

50 **SECTION 38.3.(a)** Part 2 of Article 6 of Chapter 147 of the General Statutes, as
 51 created and amended by Section 38.1 of this act, reads as rewritten:

"Part 2. Investments and Funds

"§ 147-69.1. Investments authorized for General Fund and Highway Funds assets.

(a) The Governor and Council of State, with the advice and assistance of the State Treasurer, ~~shall~~ Treasurer and the Investment Authority, may adopt such rules and regulations as shall be necessary and appropriate to implement the provisions for the implementation of this section.

(b) This section applies to funds ~~held by~~ deposited with the State Treasurer to the credit ~~of~~ of all of the following:

(1) The General ~~Fund;~~ Fund.

(2) The Highway Fund and Highway Trust Fund.

(c) It ~~shall be~~ is the duty of the ~~State Treasurer~~ Investment Authority to invest the cash of the funds enumerated in subsection (b) of this section in excess of the amount required to meet the current needs and demands on ~~such~~ those funds, selecting from among the following:

(1) Obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States.

(2) Obligations of the Federal Farm Credit Bank, the Federal Home Loan Banks, the Federal Home Loan Mortgage Corporation, Fannie Mae, the Government National Mortgage Association, the International Bank for Reconstruction and Development, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(3) Repurchase Agreements with respect to one or more of the following:

a. Securities issued or guaranteed by the United States government or its agencies.

b. Securities eligible for investment by this section executed by a bank or trust company or by primary or other reporting dealers to the Federal Reserve Bank of New York.

c. Securities eligible for investment by this section executed by a registered broker-dealer that is subject to the rules and regulations of the U.S. Securities and Exchange Commission and is a member in good standing of the Financial Industry Regulatory Authority.

(4) Obligations of the State of North Carolina.

(5) Certificates of deposit and other deposit accounts of financial institutions under any of the following conditions:

a. With financial institutions with a physical presence in the State for the purpose of receiving commercial or retail deposits; provided that any principal amount of such deposit in excess of the amount insured by the federal government or any agency thereof, be fully secured by surety bonds, or be fully collateralized; provided further that the rate of return or investment yield may not be less than that available in the market on United States government or agency obligations of comparable maturity.

b. With financial institutions with a physical presence inside or outside the State, in accordance with all of the following conditions:

1. The funds are initially deposited through a bank or savings and loan association in the State that is an official depository and that is selected by the State Treasurer, provided that the rate of return or investment yield shall not be less than that available in the market on United States government or agency obligations of comparable maturity.

1 conformity with applicable law and the rules and regulations adopted by the Governor and
2 Council of State.

3 ...

4 **"§ 147-69.2. Investments authorized for special funds held by State Treasurer.**

5 (a) This section applies to funds held by the State Treasurer to the credit of each of the
6 following:

7 (1) The Teachers' and State Employees' Retirement System of North Carolina.

8 (2) The Consolidated Judicial Retirement System of North Carolina.

9 (3) The State Health Plan for Teachers and State Employees.

10 ...

11 (5) The Disability Salary Continuation Income Plan of North Carolina.

12 (6) The North Carolina Firefighters' and Rescue Squad Workers' Pension Fund.

13 (7) The North Carolina Local Governmental Employees' Retirement System.

14 (8) The Legislative Retirement System of North Carolina.

15 (9) The Escheat Fund.

16 (10) The Legislative Retirement Fund.

17 (11) The State Education Assistance Authority.

18 (12) The State Property Fire Insurance Fund.

19 ...

20 (16) The Liability Insurance Trust Fund.

21 (16a) The University of North Carolina Hospitals at Chapel Hill funds, except
22 appropriated funds, deposited with the State Treasurer pursuant to
23 G.S. 116-350.40.

24 (17) Trust funds of The University of North Carolina and its constituent institutions
25 deposited with the State Treasurer pursuant to G.S. 116-36.1.

26 (17a) North Carolina Veterans Home Trust Fund.

27 (17b) North Carolina National Guard Pension Fund.

28 (17c) Retiree Health Benefit Fund.

29 (17d) The Election Fund.

30 (17e) The North Carolina State Lottery Fund.

31 (17f) Funds deposited with the State Treasurer by public hospitals pursuant to
32 G.S. 159-39(g).

33 (17g) Funds deposited with the State Treasurer by Local Government Other
34 Post-Employment Benefits Trusts pursuant to G.S. 159-30.1.

35 (17h) The Local Government Law Enforcement Special Separation Allowance
36 Fund.

37 (17i) The North Carolina Conservation Easement Endowment Fund.

38 (17j) The Conservation Grant Fund.

39 (17k) The Wildlife Endowment Fund.

40 (17l) The Ecosystem Restoration Fund.

41 (17m) The Needs-Based Public School Capital Fund.

42 (17n) The Riparian Buffer Restoration Fund.

43 (18) Any other special fund created by or pursuant to law for purposes other than
44 meeting appropriations made pursuant to the Executive Budget Act.

45 (19) The Swain County Settlement Trust Fund.

46 (20) Institutional funds of the colleges of the North Carolina Community College
47 System.

48 (21) The Disability Income Plan of North Carolina.

49 ...

- 1 (23) The Catawba Unit No. 1 Decommissioning Trust Fund and the Catawba Unit
- 2 No. 2 Decommissioning Trust Fund established by North Carolina Municipal
- 3 Power Agency Number 1, as described in G.S. 159B-18(b)(6).
- 4 (24) Funds deposited with the State Treasurer by charter schools pursuant to
- 5 G.S. 115C-218.15(f).

6 (b) It shall be the duty of the ~~State Treasurer~~ Investment Authority to invest the cash of
 7 the funds enumerated in subsection (a) of this section in excess of the amount required to meet
 8 the current needs and demands on these funds. The ~~State Treasurer~~ Investment Authority may
 9 invest the funds as provided in this subsection in the manner authorized by subsection (e) of this
 10 section. If an investment was authorized by this subsection at the time the investment was made
 11 or contractually committed to be made, then that investment shall continue to be authorized by
 12 this subsection, and none of the percentage or other limitation on investments set forth in this
 13 subsection shall be construed to require the ~~State Treasurer~~ Investment Authority to subsequently
 14 dispose of the investment or fail to honor any contractual commitments as a result of changes in
 15 market values, ratings, or other investment qualifications. For purposes of computing market
 16 values on which percentage limitations on investments in this subsection are based, all
 17 investments shall be valued as of the last date of the most recent fiscal quarter. Notwithstanding
 18 anything in this section to the contrary, the ~~State Treasurer~~ Investment Authority shall categorize
 19 investment management arrangements according to the primary investment type or primary
 20 strategy utilized under the arrangement authorized under subsection (e) of this section. No
 21 investment management arrangement may be categorized in more than one of the subdivisions
 22 of this section. The ~~State Treasurer~~ Investment Authority shall select from among the following
 23 investments subject to ~~the following any stipulated limitations and requirements:~~ requirements:

- 24 (1) Investments authorized by G.S. 147-69.1(c)(1)-(7).
- 25 (2) General obligations of other states of the United States.
- 26 (3) General obligations of cities, counties and special districts in North Carolina.
- 27 (4) Obligations of any company, other organization or legal entity incorporated
- 28 or otherwise created or located within or outside the United States, including
- 29 obligations that are convertible into equity securities, if, when acquired, the
- 30 obligations are within one of the four highest rating categories regardless of
- 31 gradations, such as ratings beginning with "AAA," "AA," "A," or either
- 32 "BBB" or "Baa," of at least one nationally recognized rating service
- 33 designated by the U.S. Securities and Exchange Commission.

34 ...

- 35 (6) Asset-backed ~~securities (whether securities, whether considered debt or~~
 36 ~~equity), equity~~, if, when acquired, the obligations are within one of the four
 37 highest ratings categories regardless of gradations, such as ratings beginning
 38 with "AAA," "AA," "A," or either "BBB" or "Baa," of at least one nationally
 39 recognized rating service designated by the U.S. Securities and Exchange
 40 Commission.

- 41 (6a) In addition to the limitations and requirements with respect to the investments
 42 of the Retirement Systems ~~set forth in~~ under this subsection, the ~~State~~
 43 ~~Treasurer~~ Investment Authority shall select investments of the assets of the
 44 Retirement Systems such that investments made pursuant to subdivisions
 45 ~~(b)(1)-(1)~~ through (6) of this ~~section~~ subsection shall at all times equal or
 46 exceed twenty percent (20%) of the market value of all invested assets of the
 47 Retirement Systems.

48 ...

- 49 (6c) ~~With respect to Retirement Systems' assets referred to in subdivision (b)(8),~~
 50 ~~they~~ may be invested, within or outside the United States, in obligations, debt
 51 securities, and asset-backed securities, whether considered debt or equity,

- 1 including obligations and securities convertible into other securities, that do
2 not meet the requirements of any of subdivisions ~~(b)(4)-(1)~~ through (6) of this
3 ~~section-subsection~~ nor subdivision ~~(b)(7)-(7)~~ of this section. ~~The amount~~
4 ~~invested under this subdivision shall not exceed seven and one half percent~~
5 ~~(7.5%) of the market value of all invested assets of the Retirement~~
6 ~~Systems-subsection.~~
- 7 (7) Retirement Systems' assets ~~referred to in subdivision (8) of this subsection~~
8 may be invested in strategies managed primarily for the purpose of owning
9 real estate or related debt financing, excluding asset-backed financing and
10 timberlands, located within or outside the United States. ~~The amount invested~~
11 ~~under this subdivision shall not exceed ten percent (10%) of the market value~~
12 ~~of all invested assets of the Retirement Systems.~~
- 13 (8) ~~With respect to assets of the Teachers' and State Employees' Retirement~~
14 ~~System, the Consolidated Judicial Retirement System, the Firefighters' and~~
15 ~~Rescue Workers' Pension Fund, the Local Governmental Employees'~~
16 ~~Retirement System, the Legislative Retirement System, the North Carolina~~
17 ~~National Guard Pension Fund, the Registers of Deeds' Supplemental Pension~~
18 ~~Fund, and the Retiree Health Benefit Fund (hereinafter referred to collectively~~
19 ~~as the Retirement Systems), they Retirement Systems' assets~~ may be invested
20 in a strategy composed primarily of equity securities traded on a public
21 securities exchange or market organized and regulated pursuant to the laws of
22 the jurisdiction of the exchange or market and issued by any company
23 incorporated or otherwise created or located within or outside the United
24 States as long as the investments meet the conditions of this subdivision. ~~The~~
25 ~~investments authorized for the Retirement Systems under this subdivision are~~
26 ~~subject to the following limitations:~~
- 27 ...
- 28 a1. ~~The aggregate amount of the investments cannot exceed sixty five~~
29 ~~percent (65%) of the market value of all invested assets of the~~
30 ~~Retirement Systems.~~
- 31 b. ~~The aggregate amount of the investment invested through investment~~
32 ~~companies described in sub-subdivision (e)(4)b. of this section shall~~
33 ~~not exceed eight and one half percent (8.5%) of the market value of~~
34 ~~all invested assets of the Retirement Systems, except that the market~~
35 ~~value of group trusts and individual, common, or collective trust funds~~
36 ~~of banks and trust companies shall not be applied against this limit.~~
- 37 ...
- 38 (9) ~~With respect to Retirement Systems' assets, as defined in subdivision (b)(8)~~
39 ~~of this subsection, they assets~~ may be invested in (i) a strategy composed
40 primarily of private equity, or corporate buyout transactions, within or outside
41 the United States or (ii) an arrangement authorized under subsection (e) of this
42 section with the primary purpose to engage in other strategies not expressly
43 authorized by any other subdivision of this subsection. ~~The amount invested~~
44 ~~under this subdivision shall not exceed eight and three quarters percent~~
45 ~~(8.75%) of the market value of all invested assets of the Retirement Systems.~~
- 46 (9a) ~~With respect to Retirement Systems' assets, as defined in subdivision (b)(8)~~
47 ~~of this subsection, they assets~~ may be invested, within or outside the United
48 States, in obligations, debt securities, asset-backed securities, whether
49 considered debt or equity, and other investments that are acquired by the
50 ~~Treasurer Investment Authority~~ for the primary purpose of ~~providing~~
51 ~~protection against risks associated with inflation, along with owning real~~

1 assets or related debt financing, including, but not limited to, timberland,
 2 natural resources, commodities, infrastructure, transportation, agriculture, and
 3 other tangible and intangible real assets. ~~The amount invested under this~~
 4 subdivision shall not exceed seven and one-half percent (7.5%) of the market
 5 value of all invested assets of the Retirement Systems.

6 ...
 7 (10a) ~~With respect to Retirement Systems' assets, as defined in subdivision (8) of~~
 8 ~~this subsection, the market value of any of subdivision (6c) or (7),~~
 9 ~~sub-subdivision b. of subdivision (8), or subdivision (9) or (9a) of this~~
 10 ~~subsection shall not exceed ten percent (10%) of the market value of all~~
 11 ~~invested assets of the Retirement Systems; and the The aggregate market value~~
 12 ~~of all assets invested pursuant to subdivisions (6c) and (7), sub-subdivision b.~~
 13 ~~of subdivision (8), and subdivisions (9) and (9a)-(6c), (7), (8), (9), and (9a) of~~
 14 ~~this subsection shall not exceed thirty-five percent (35%) ~~eighty percent~~~~
 15 ~~(80%) of the market value of all invested assets of the Retirement~~
 16 ~~Systems. Systems, including any digital assets invested pursuant to~~
 17 ~~G.S. 147-69.2E(c).~~

18 (10b) The market value of illiquid investments, as determined by the Board of
 19 Directors, shall not exceed forty percent (40%) of the market value of all
 20 invested assets of the Retirement System.

21 ...
 22 (12) It is the intent of the General Assembly that the Escheat Fund provide a
 23 perpetual and sustainable source of funding for the purposes authorized by the
 24 State Constitution. Accordingly, the following provisions ~~apply:~~ apply to the
 25 assets of the Escheat Fund:

26 a. ~~With respect to The Investment Authority may invest the assets of the~~
 27 ~~Escheat Fund, in addition to Fund in those investments authorized by~~
 28 ~~subdivisions (1) through (6) of this subsection, up to ten percent (10%)~~
 29 ~~subsection. Up to eighty percent (80%) of the assets may be invested~~
 30 ~~in the investments authorized under subdivisions (6c) through (9a) of~~
 31 ~~this subsection, notwithstanding the percentage limitations imposed on~~
 32 ~~the Retirement Systems' investments under those subdivisions, and~~
 33 ~~provided that the State Treasurer subsection. The Investment~~
 34 ~~Authority may invest the assets as provided in subsection (e) of this~~
 35 ~~section.~~

36 ...
 37 c. ~~The State Treasurer shall The Investment Authority may invest, in~~
 38 ~~addition to those investments authorized by sub-subdivision a. ten~~
 39 ~~percent (10%) of the net assets of the Escheat Fund as authorized under~~
 40 ~~G.S. 147-69.2A.~~

41 (b1) ~~The State Treasurer shall appoint an Investment Advisory Committee, which shall~~
 42 ~~consist of seven members: the State Treasurer, who shall be chairman ex officio; two members~~
 43 ~~selected from among the members of the boards of trustees of the Retirement Systems; and four~~
 44 ~~members selected from the general public. All appointed members must have experience in areas~~
 45 ~~relevant to the administration of a large, diversified investment program, including, but not~~
 46 ~~limited to, investment management, securities law, real estate development, or absolute return~~
 47 ~~strategies. The State Treasurer shall also appoint a Secretary of the Investment Advisory~~
 48 ~~Committee who need not be a member of the committee. Members of the committee shall receive~~
 49 ~~for their services the same per diem and allowances granted to members of the State boards and~~
 50 ~~commissions generally. The committee shall have advisory powers only and membership shall~~

1 not be deemed a public office within the meaning of Article VI, Section 9 of the Constitution of
2 North Carolina or G.S. 128-1.1.

3 (b2) The ~~State Treasurer Investment Authority~~ may invest funds deposited pursuant to
4 subdivision (a)(17f) of this section in any of the investments authorized under subdivisions (b)(1)
5 through (6), subdivision (b)(6c), and subdivision (b)(8) of this section, ~~notwithstanding the~~
6 ~~percentage limitations imposed on the Retirement Systems' investments therein.~~ section. The
7 ~~State Treasurer Investment Authority~~ may require a minimum deposit, up to one hundred
8 thousand dollars (\$100,000), and may assess reasonable fees, not to exceed 15 basis points per
9 annum, as a condition of participation pursuant to this subsection. Funds deposited pursuant to
10 this subsection by a hospital shall remain the funds of that hospital, and interest or other
11 investment income earned thereon shall be prorated and credited to the contributing hospital on
12 the basis of the amounts thereof contributed, figured according to sound accounting principles.
13 Fees assessed by the ~~State Treasurer Investment Authority~~ may be used to defray the cost of
14 administering investments pursuant to this subsection and expenditures authorized under this
15 section.

16 (b3) The ~~State Treasurer Investment Authority~~ may invest funds deposited pursuant to
17 subdivision (a)(16a) of this section in any of the investments authorized under subdivisions (1)
18 through (6), subdivision (6c) and subdivision (b)(8) of this section, ~~notwithstanding the~~
19 ~~percentage limitations imposed on the Retirement Systems' investments therein.~~ section. The
20 ~~State Treasurer Investment Authority~~ may require a minimum deposit, up to one hundred
21 thousand dollars (\$100,000), and may assess reasonable fees, not to exceed 15 basis points per
22 annum, as a condition of participation pursuant to this subsection. Funds deposited pursuant to
23 this subsection by the University of North Carolina Hospitals at Chapel Hill shall remain the
24 funds of the University of North Carolina Hospitals at Chapel Hill, and interest or other
25 investment income earned thereon shall be prorated and credited to the University of North
26 Carolina Hospitals at Chapel Hill on the basis of the amounts thereof contributed, figured
27 according to sound accounting principles. Fees assessed by the ~~State Treasurer Investment~~
28 ~~Authority~~ may be used to defray the cost of administering investments pursuant to this subsection
29 and expenditures authorized under this section.

30 (b4) In addition to the investments authorized under subdivisions (b)(1) through (6) of this
31 section, the ~~State Treasurer Investment Authority~~ may invest funds deposited pursuant to
32 subdivision (17g) of subsection (a) of this section in any of the investments authorized under
33 subdivisions (b)(6c) and (b)(8) of this section, ~~notwithstanding the percentage limitations~~
34 ~~imposed on the Retirement Systems' investments therein.~~ section. Funds deposited pursuant to
35 this subsection by a Local Government Other Post-Employment Benefits Trust and interest or
36 other investment income earned from those funds shall be prorated and credited to the
37 contributing trust on the basis of the amounts contributed, figured according to sound accounting
38 principles. For investments under subdivisions (b)(6c) and (b)(8) of this section, the ~~State~~
39 ~~Treasurer Investment Authority~~ may require a minimum deposit of up to one hundred thousand
40 dollars (\$100,000) and may assess reasonable fees of up to 15 basis points per annum as a
41 condition of participation pursuant to this subsection. Fees assessed by the ~~State Treasurer~~
42 ~~Investment Authority~~ may be used to defray the costs of administering the Fund and expenditures
43 authorized under this section.

44 (b5) In addition to the investments authorized under subdivisions (b)(1) through (6) of this
45 section, the ~~State Treasurer Investment Authority~~ may invest funds deposited in the Local
46 Government Law Enforcement Special Separation Allowance Fund in any of the investments
47 authorized under subdivisions (b)(6c) and (b)(8) of this section, ~~notwithstanding the percentage~~
48 ~~limitations imposed on the Retirement Systems' investments therein.~~ section. For investments
49 from that Fund made under subdivisions (b)(6c) and (b)(8) of this section, the ~~State Treasurer~~
50 ~~Investment Authority~~ may require a minimum deposit of up to one hundred thousand dollars
51 (\$100,000) and may assess reasonable fees of up to 15 basis points per annum as a condition of

1 making the investment. The fee may be used to defray the costs of administering the Fund and
2 expenditures authorized under this section.

3 (b6) In addition to the investments authorized under subdivisions (b)(1) through (6) of this
4 section, the ~~State Treasurer Investment Authority~~ may invest funds deposited in the Catawba
5 Unit No. 1 Decommissioning Trust Fund and the Catawba Unit No. 2 Decommissioning Trust
6 Fund in any of the investments authorized under subdivisions (b)(6c) and (b)(8) of this section,
7 ~~notwithstanding the percentage limitations imposed on the Retirement Systems' investments~~
8 ~~therein.~~ section. For investments from the Funds made under subdivisions (b)(6c) and (b)(8) of
9 this section, the ~~State Treasurer Investment Authority~~ may require a minimum deposit of up to
10 one hundred thousand dollars (\$100,000) and may assess reasonable fees of up to 15 basis points
11 per annum as a condition of making the investment. The fee may be used to defray the costs of
12 administering the Fund and expenditures authorized under this section.

13 (b7) In addition to the investments authorized under subdivisions (b)(1) through (6) of this
14 section, the ~~State Treasurer Investment Authority~~ may invest funds deposited in the Swain
15 County Settlement Trust Fund in any of the investments authorized under subdivision (b)(8) of
16 this section, ~~notwithstanding the percentage limitations imposed on the Retirement Systems'~~
17 ~~investments therein.~~ section. For investments from that Fund made under subdivision (b)(8) of
18 this section, the ~~State Treasurer Investment Authority~~ may require a minimum deposit of up to
19 one hundred thousand dollars (\$100,000) and may assess reasonable fees of up to 15 basis points
20 per annum as a condition of making the investment. The fee may be used to defray the costs of
21 administering the Fund and expenditures authorized under this section.

22 (b8) In addition to the investments authorized under subdivisions (b)(1) through (6) of this
23 section, the ~~State Treasurer Investment Authority~~ may invest funds deposited pursuant to
24 subdivision (24) of subsection (a) of this section in any of the investments authorized under
25 subdivisions (b)(6c) and (b)(8) of this section, notwithstanding the percentage limitations
26 imposed on the Retirement Systems' investments therein. For investments from that Fund made
27 under subdivisions (b)(6c) and (b)(8) of this section, the ~~State Treasurer Investment Authority~~
28 may require a minimum deposit of up to fifty thousand dollars (\$50,000) and may assess
29 reasonable fees of up to 15 basis points per annum as a condition of making the investment. The
30 fee may be used to defray the costs of administering investments and expenditures authorized
31 under this section.

32 ...

33 (d) The ~~State Treasurer Investment Authority~~ may invest funds deposited pursuant to
34 subdivisions (17i), (17j), (17k), (17l), and (17n) of subsection (a) of this section in any of the
35 investments authorized under subdivisions (1) through (6) and subdivision (8) of subsection (b)
36 of this section. The ~~State Treasurer Investment Authority~~ may require a minimum deposit, up to
37 one hundred thousand dollars (\$100,000), and may assess a reasonable fee, not to exceed 15 basis
38 points, as a condition of participation pursuant to this subsection. Fees assessed by the ~~State~~
39 ~~Treasurer Investment Authority~~ may be used to defray the costs of administering the funds and
40 expenditures authorized under this section. Funds deposited pursuant to this subsection shall
41 remain the funds of the North Carolina Conservation Easement Endowment Fund, the
42 Conservation Grant Fund, the Ecosystem Restoration Fund, the Riparian Buffer Restoration
43 Fund, or the Wildlife Endowment Fund, as applicable, and interest or other investment income
44 earned thereon shall be prorated and credited to the North Carolina Conservation Easement
45 Endowment Fund, the Conservation Grant Fund, the Ecosystem Restoration Fund, the Riparian
46 Buffer Restoration Fund, or the Wildlife Endowment Fund on the basis of the amounts
47 contributed to the respective Funds, figured according to sound accounting principles.

48 (e) Investments made pursuant to this section may be made as internally managed
49 investments by the ~~State Treasurer Investment Authority~~ or may be made through third-party
50 investment management arrangements, under the following conditions:

- 1 (1) Internally managed portfolios shall be subject to industry standard portfolio
2 ~~guidelines developed with periodic consultation by the Investment Advisory~~
3 ~~Committee guidelines.~~
- 4 (2) In assessing whether to invest directly or to utilize indirect third-party
5 investment management arrangements, the ~~State Treasurer~~ Investment
6 Authority shall consider all relevant material factors ~~he or she considers~~
7 ~~relevant to the decision~~ consistent with the ~~Treasurer's Investment Authority's~~
8 fiduciary duties under ~~G.S. 147-69.7, G.S. 147-70.6,~~ including financial,
9 operational, and investment expertise and resources, alignment of interests
10 and investor protections, transparency and repeatability of investment process,
11 risk controls, and cost-effectiveness.
- 12 (3) ~~For any third party investment management arrangements, the investment~~
13 ~~manager must have total assets under management of at least one hundred~~
14 ~~million dollars (\$100,000,000) at the inception of the investment management~~
15 ~~arrangement with the State Treasurer.~~
- 16 (4) Third-party investment management arrangements may be with persons and
17 legal entities located within or outside the United States, including through
18 any of the following:
- 19 a. Contractual arrangements in which the investment manager has
20 delegated discretion and authority to invest assets.
- 21 b. Investment companies as defined under United States generally
22 accepted accounting principles as promulgated by the Financial
23 Accounting Standards Board, including without limitation entities
24 registered under the Investment Company Act of 1940; individual,
25 common, or collective trust funds of banks and trust companies;
26 limited partnerships; limited liability companies or other limited
27 liability investment vehicles; and insurance contracts that provide for
28 participation in individual or pooled separate accounts of insurance
29 companies.
- 30 Any limited liability investment vehicles organized by the ~~State Treasurer~~
31 Investment Authority shall be deemed investment companies for the purposes
32 of this ~~subsection~~ subdivision.
- 33 (5) Investment companies shall provide annual audited financial statements to the
34 ~~State Treasurer, Investment Authority,~~ unless the ~~State Treasurer~~ Investment
35 Authority waives the requirement after conducting a cost-benefit analysis.
- 36 (6) In connection with any investment otherwise authorized under this section,
37 the ~~State Treasurer~~ Investment Authority may enter into an indemnification
38 agreement provided that, under any agreement, the liability of the ~~State~~
39 ~~Treasurer~~ Investment Authority will be limited to the amount of the ~~State~~
40 ~~Treasurer's~~ Investment Authority's contractual investment.

41 **"§ 147-69.2A. Investments; special funds held by the State Treasurer.**

42 (a) ~~Firm to Administer Special Fund. — Following a public procurement process, a~~
43 ~~designee of the Governor, a designee of the State Treasurer, a designee of the Speaker of the~~
44 ~~House of Representatives, and a designee of the President Pro Tempore of the Senate shall jointly~~
45 ~~and unanimously~~ Venture Capital Multiplier Fund. — The Investment Authority may select
46 a third-party professional investment management firm, subject to the rules and regulations of the
47 U.S. Securities and Exchange Commission, to administer a special fund created to invest assets
48 described in G.S. 147-69.2(b)(12)e. of the Escheats Fund and select investment opportunities
49 appropriate for receiving allocations from the Venture Capital Multiplier Fund on the basis of
50 potential return on investment and the risks attendant thereto. The ~~State Treasurer~~ Investment
51 Authority shall assign professional and clerical staff to assist in the oversight of the Venture

1 Capital Multiplier Fund. All costs for the third-party investment management firm and the
2 professional and clerical staff shall be borne by the Venture Capital Multiplier Fund pursuant to
3 G.S. 147-69.3(f). ~~The State Treasurer Investment Authority shall discharge his or her~~ its duties
4 with respect to the Venture Capital Multiplier Fund as a fiduciary consistent with
5 ~~G.S. 147-69.7.~~ G.S. 147-70.6.

6 (b) ~~Organization and Reporting.~~ – ~~All documents of the Governor or the State Treasurer~~
7 ~~concerning the Fund are public records governed by Chapter 132 of the General Statutes and any~~
8 ~~applicable provisions of the General Statutes protecting confidential information.~~

9 ~~The State Treasurer and the Governor shall jointly~~ The Investment Authority shall develop
10 and adopt an investment policy statement for the Venture Capital Multiplier Fund.

11 ~~The State Treasurer and Governor shall jointly adopt a common policy to prevent conflicts~~
12 ~~of interests such that (i) the designees of the State Treasurer and Governor who selected the~~
13 ~~third-party investment management firm, (ii) the staff of the State Treasurer overseeing the Fund,~~
14 ~~and (iii) the third-party investment management firm's employees selecting or overseeing Fund~~
15 ~~investments do not provide services for compensation (as an employee, consultant, or otherwise),~~
16 ~~within two years after the end of their service to the Fund, to any entity in which an investment~~
17 ~~from the Fund was made.~~

18 (b1) Conflict of Interest Policy. – The Investment Authority shall adopt a policy to prevent
19 conflicts of interest. This policy shall include a provision prohibiting all of the following
20 individuals from providing services for compensation to any entity in which an investment from
21 the Venture Capital Multiplier Fund was made within two years after the end of that individual's
22 service to the Fund:

23 (1) The designee of the State Treasurer and Governor who selected the third-party
24 investment management firm prior to the creation of the Investment Authority.

25 (2) The designee of the Investment Authority who selected the third-party
26 investment management firm.

27 (3) The staff of the Department of State Treasurer or of the Investment Authority
28 overseeing the Fund.

29 (4) The third-party investment management firm's employees selecting or
30 overseeing Fund investments.

31 (c) Types of Investments. – Assets of the Venture Capital Multiplier Fund may be
32 invested in those types of investments authorized for the North Carolina Retirement Systems by
33 G.S. 147-69.2(b), notwithstanding the percentage limitations imposed on the Retirement
34 Systems' investments under those subdivisions. G.S. 147-69.2(b).

35 (d) Report on Escheat Fund Financial Status. – The State Treasurer–Treasurer, in
36 coordination with the Investment Authority, shall engage a third-party professional consultant to
37 conduct an assessment and projection of the financial status of the Escheat Fund. A third-party
38 professional consultant may be engaged to conduct the required assessment. The associated costs
39 for the services may be directly charged to the Escheat Fund. ~~The~~ No later than December 31 of
40 each year, the State Treasurer shall communicate the assessment ~~of the consultant~~ in an annual
41 report to the Governor, the Speaker of the House of Representatives, the President Pro Tempore
42 of the Senate, and the chairs of the respective appropriations and appropriate substantive
43 committees of each chamber. The annual report shall ~~evaluate~~ include all of the following:

44 (1) An evaluation of claims by owners upon the Escheat Fund, current and
45 projected investment returns, ~~and~~ projected contributions to the Escheat Fund,
46 current and projected legislative appropriations, and authorized expenses. ~~In~~
47 the report, the State Treasurer shall assess

48 (2) An assessment of the State Treasurer, with the assistance of the Investment
49 Authority of the status of utilizing the Escheat Fund as an endowment fund
50 and ~~shall recommend~~ a recommendation of an annual amount available for the

1 funding of scholarships, loans, and grants from the Fund. ~~The annual report~~
2 ~~shall be presented no later than December 31 of each year.~~

3 **"§ 147-69.2E. Investments in digital assets.**

4 (a) The following definitions apply in this section:

5 (1) Designated funds. – Any of the funds described in G.S. 147-69.1(b) and
6 G.S. 147-69.2(a).

7 (2) Digital asset. – A virtual currency, cryptocurrency, native electronic asset,
8 stablecoin, nonfungible token, or any other asset that is only digital and that
9 confers economic, proprietary, or access rights or powers.

10 (3) Private key. – A unique element of cryptographic data used for signing
11 transactions on a blockchain that is known to the owner of the unique element.

12 (4) Secure custody solution. – A technological product or a blended product and
13 service that employs advanced security measures to safeguard private keys
14 and prevent unauthorized access.

15 (b) The Investment Authority may invest the cash of the designated funds in digital assets
16 only after approval by the Board of Directors. The approval shall be based on an independent
17 assessment by a third-party consultant that all of the following requirements for proposed
18 investments have been met:

19 (1) The digital assets are maintained with a secure custody solution.

20 (2) The risk and reward profile, including under adverse scenarios, is appropriate
21 for the designated fund's circumstances from a total portfolio perspective.

22 (3) The control environment meets institutional investment industry requirements
23 for independent risk and compliance oversight, operational robustness, and
24 regulatory compliance.

25 (c) An investment in digital assets from any of the designated funds shall not exceed, in
26 the aggregate, five percent (5%) of the balance of the designated fund.

27 **"§ 147-69.3. Administration of State Treasurer's Investment Authority's investment**
28 **programs.**

29 (a) The State Treasurer shall deposit with the Investment Authority assets of the funds
30 under G.S. 147-69.1 and the special funds under G.S. 147-69.2. The Investment Authority shall
31 establish, maintain, administer, manage, and operate within the Department of State Treasurer
32 one or more investment programs for the deposit and to the credit of the State Treasurer of the
33 investment of assets pursuant to the provisions of G.S. 147-69.1 and G.S. 147-69.2. Different of
34 the funds under G.S. 147-69.1 and the special funds under G.S. 147-69.2. Funds of each of the
35 Retirement Systems and other funds held by the State Treasurer Investment Authority may be
36 invested collectively or separately in the State Treasurer's Investment Authority's discretion
37 consistent with the fiduciary duties stated in G.S. 147-69.7 under G.S. 147-70.6.

38 (b) Any official, board, commission, other public authority, local government, school
39 administrative unit, charter school, local ABC board, or community college of the State having
40 custody of any funds not required by law to be deposited with and invested by the State Treasurer
41 or the Investment Authority may deposit all or any portion of those funds with the State Treasurer
42 Investment Authority for investment in one of the investment programs established pursuant to
43 authorized under this section, subject to any provisions of law with respect to eligible
44 investments, provided that any investments. Any occupational licensing board as defined in
45 G.S. 93B-1 may participate in one of the investment programs established pursuant to authorized
46 under this section regardless of whether or not the funds were required by law to be deposited
47 with and invested by the State Treasurer. Treasurer or the Investment Authority. In the absence
48 of specific statutory provisions to the contrary, any of those funds described in this subsection
49 may be invested by the Investment Authority in accordance with the provisions of G.S. 147-69.2
50 and 147-69.3. Upon request from any depositor eligible under this subsection, the State Treasurer

1 may authorize moneys invested pursuant to this subsection to be withdrawn by warrant on the
2 State Treasurer.

3 (c) ~~The State Treasurer's Investment Authority's investment programs shall be so~~
4 ~~managed that that, in the judgment of the State Treasurer Investment Authority, funds may be~~
5 readily converted into cash when needed.

6 (d) Except as provided by G.S. 147-69.1(d), the total return earned on investments shall
7 accrue pro rata to the fund whose assets are ~~invested according to the formula prescribed by the~~
8 ~~State Treasurer with the approval of the Governor and Council of State.~~ invested.

9 (e) ~~The State Treasurer Investment Authority~~ has full powers as a fiduciary to hold,
10 purchase, sell, assign, transfer, lend and dispose of any of the securities or investments in which
11 any of the investment programs created pursuant to this section have been invested, and may
12 reinvest the proceeds from the sale of those securities or investments and any other investable
13 assets of the program.

14 (f) The cost of administration, management, and operation of investment programs
15 established pursuant to this section shall be apportioned and paid equitably among the programs
16 in a manner prescribed by the ~~State Treasurer Investment Authority, including through~~
17 administrative fees if approved by the Board of Directors. To the extent not otherwise chargeable
18 directly to the income or assets of a specific investment program or pooled investment vehicle,
19 the cost of administration, management, and operation of investment programs established
20 pursuant to this section shall be paid from the income and assets of the investment programs.
21 Any apportionment and payment under this section shall be accounted for in a manner determined
22 by the ~~State Treasurer Investment Authority.~~

23 ~~(g) The State Treasurer is authorized to retain the services of independent appraisers,~~
24 ~~auditors, actuaries, attorneys, investment counseling firms, statisticians, custodians, or other~~
25 ~~persons or firms possessing specialized skills or knowledge necessary for the proper~~
26 ~~administration of investment programs created pursuant to this section.~~

27 (g1) Notwithstanding G.S. 114-8.3, the Investment Authority's designated attorneys shall
28 review all proposed investment contracts and all proposed contracts for investment-related
29 services entered into pursuant to the Investment Authority's authority under this Article. All of
30 the following apply to the required review:

31 (1) This review shall include confirmation that a proposed contract meets all of
32 the following criteria:

33 a. The proposed contract is in proper legal form.

34 b. The proposed contract is legally enforceable to the extent governed by
35 North Carolina law.

36 c. The proposed contract accomplishes the intended purposes of the
37 contract.

38 (2) The Investment Authority's designated attorneys shall establish procedures
39 regarding the review.

40 (3) The required review does not constitute approval or disapproval of the policy
41 merit, or lack thereof, of the proposed contract.

42 (4) A designated attorney under this subsection includes any attorney employed
43 or retained by the Investment Authority to review contracts as required by this
44 subsection.

45 (5) For purposes of this subsection, "investment contract" means investments to
46 be acquired, held, or sold, directly or indirectly, by or for the Investment
47 Authority or an investment entity created by the Investment Authority, either
48 on its own behalf or on behalf of another beneficial owner.

49 ...

1 (i1) ~~The State Treasurer shall report the incentive bonus paid to the Chief Investment~~
 2 ~~Officer to the Joint Legislative Commission on Governmental Operations by October 1 of each~~
 3 ~~year.~~

4 ...

5 (i3) ~~The Treasurer Investment Authority~~ may invest in the countries of Sudan and South
 6 Sudan to the extent not prohibited by the United States Government, or to the extent that such
 7 investment is part of an index or index replication strategy, a commingled fund, limited
 8 partnership, or similar investment vehicle, or a derivative instrument.

9 (j) Subject to the provisions of G.S. 147-69.1(d), the ~~State Treasurer shall~~ Investment
 10 Authority may adopt any rules necessary to carry out the provisions of this section.

11 ...

12 **"§ 147-69.4A. Support and assistance; Supplemental Retirement Board of Trustees.**

13 (a) The Supplemental Retirement Board of Trustees, as established under G.S. 135-96,
 14 may request the Investment Authority to provide monitoring, evaluation, reporting, and other
 15 support or assistance for the investments of the Supplemental Retirement Income Plan of North
 16 Carolina and the North Carolina Public Employee Deferred Compensation Plan.

17 (b) Upon the consent of the Investment Authority to provide requested support or
 18 assistance under this section, the Investment Authority's responsibilities shall be documented in
 19 a Statement of Investment Policy approved by the Supplemental Retirement Board of Trustees.

20 (c) In providing any support or assistance under this section, the Investment Authority
 21 shall discharge its duties as a fiduciary to the participants in the Supplemental Retirement Income
 22 Plan of North Carolina and the North Carolina Public Employee Deferred Compensation Plan.

23 **"§ 147-69.5. Local Government Law Enforcement Special Separation Allowance Fund.**

24 The Local Government Law Enforcement Special Separation Allowance Fund is established
 25 as a fund in the Office of the State Treasurer under the management of the ~~Treasurer Investment~~
 26 Authority. The Fund consists of contributions made by entities authorized to make contributions
 27 to the Fund and interest and other investment income earned by the Fund. Contributions to the
 28 Fund are irrevocable. Assets of the Fund may be used only to provide law enforcement special
 29 separation allowance benefits to individuals who are former employees of a unit of local
 30 government that contributes to the Fund and are entitled to law enforcement special separation
 31 allowance payable by the unit. The assets of the Fund are not subject to the claims of creditors
 32 of an entity that contributes to the Fund.

33 **"§ 147-69.6. Swain County Settlement Trust Fund.**

34 (a) The Swain County Settlement Trust Fund is established as a special fund in the Office
 35 of the State Treasurer under the management of the ~~Treasurer. The Treasurer Investment~~
 36 Authority. The Investment Authority may invest the assets of the Fund in any of the investments
 37 authorized under subdivisions (b)(1) through (6) and subdivision (b)(8) of G.S. 147-69.2. The
 38 Fund shall consist of the proceeds of any payments made by the United States in settlement of
 39 the 1943 agreement between Swain County and the United States Department of Interior, such
 40 other contributions as Swain County or other entities may choose to make to the Fund, and the
 41 interest and other investment income earned by the Fund. For the purposes of this section, the
 42 initial balance of the Fund shall be defined as fifty-two million dollars (\$52,000,000).

43"

44 **SECTION 38.3.(b)** Part 3 of Article 6 of Chapter 147 of the General Statutes, as
 45 created and amended by Section 38.1 of this act, reads as rewritten:

46 "Part 3. Reports and Audits.

47 **"§ 147-69.8. Annual report on new investment authority.**

48 Whenever the General Assembly broadens the investment authority of the ~~State Treasurer~~
 49 Investment Authority as to the General Fund, the Teachers' and State Employees' Retirement
 50 System, the Consolidated Judicial Retirement System, the Firefighters' and Rescue Squad
 51 Workers' Pension Fund, the Local Governmental Employees' Retirement System, the Legislative

1 Retirement System, the North Carolina National Guard Pension Fund, or any idle funds, the ~~State~~
2 ~~Treasurer-Investment Authority~~ shall annually report in detail to the General Assembly the
3 investments made under such new authority, including the returns on those investments, earnings,
4 changes to value, and gains and losses in disposition of such investments. The report shall be
5 made no later than the first six months of each calendar year, covering performance in the prior
6 fiscal year. As to each type of new investment authority, the report shall be made for at least four
7 years. To the extent the information required by this section is also required in the reports under
8 G.S. 147-69.12, the ~~State Treasurer-Investment Authority~~ may combine reports or make
9 cross-reference to those reports.

10 **"§ 147-69.9. Third-party audit of State Treasurer's investments.**

11 (a) In addition to all other audits and reports required by the law, the ~~State Treasurer~~
12 ~~Treasurer, with the active assistance of the Investment Authority~~, shall prepare and issue, at the
13 end of each fiscal year ~~beginning with the 2015-2016 fiscal year, year~~, a set of consolidated
14 stand-alone financial statements regarding investments authorized in G.S. 147-69.1 and
15 G.S. 147-69.2. These financial statements shall be audited by a commercial independent
16 third-party audit firm selected and engaged by the ~~State Treasurer-Treasurer, in consultation with~~
17 ~~the Investment Authority~~. The audit firm's report and the financial statement shall be provided to
18 the Joint Legislative Commission on Governmental Operations, the House of Representative
19 Appropriations Committee, the Senate Appropriations/Base Budget Committee, and the Fiscal
20 Research Division within six months after the closing of the reporting period.

21 (b) The management discussion and analysis section of the report accompanying the
22 financial statements shall be prepared by the Investment Authority and shall include a discussion
23 of the investment programs' risk and returns compared to benchmarks, total management fees
24 and incentives paid, and comparison to peer cost benchmarks.

25 **"§ 147-69.10. Investment policies and performance reviews of Retirement Systems**
26 **investment programs.**

27 (a) On at least a biennial basis, the ~~State Treasurer-Chief Investment Officer~~ shall present
28 an investment policy statement to the ~~Investment Advisory Committee-Board of Directors for the~~
29 ~~Committee's consultation-approval~~. The investment policy statement must include descriptions
30 of investment objectives and strategy, roles and responsibilities, permissible asset classes, asset
31 allocation targets and ranges, risk management and compliance guidelines, and evaluation
32 criteria necessary to measure investment performance.

33 (b) At least once every four years, the ~~State Treasurer-Investment Authority~~ shall engage
34 a commercial independent expert firm, pursuant to ~~G.S. 147-69.3(g), G.S. 147-71.2(c),~~ to
35 evaluate the governance, operations, and investment practices of the ~~State Treasurer-Investment~~
36 ~~Authority~~ in order to develop recommendations for improvement. ~~The State Treasurer must~~
37 ~~consult with the Investment Advisory Committee to develop the scope of the evaluation.~~ The
38 report of the independent expert firm shall be provided to the Joint Legislative Commission on
39 Governmental Operations, the House of Representatives Appropriations Committee, the Senate
40 Appropriations/Base Budget Committee, and the Fiscal Research Division within 30 days of
41 receipt.

42 **"§ 147-69.12. Reporting on the State Treasurer's Investment Authority's investment**
43 **programs.**

44 (a) ~~No later than the tenth day of February, May, August, and November of each year,~~
45 ~~the State Treasurer shall report on all investments for which the State Treasurer is in any way~~
46 ~~responsible, including investments made from the Escheat Fund and return on investment as~~
47 ~~provided in G.S. 147-69.2A. This report shall be made for the Escheat Fund in lieu of the report~~
48 ~~required by G.S. 147-69.8. The State Treasurer's quarterly report shall include each of the~~
49 ~~following:~~

- 50 (1) ~~A specific listing of all direct and indirect placement fees, asset fees,~~
51 ~~performance fees, and any other money management fees incurred by the~~

- 1 State in the management of the Retirement Systems defined in
2 G.S. 147-69.2(b)(8). In the event that the market value of any of subdivision
3 (6c) or (7), sub-subdivision b. of subdivision (8), or subdivision (9) or (9a) of
4 G.S. 147-69.2 increases during a fiscal year by an amount greater than three
5 percent (3%) of the market value of all invested assets of the Retirement
6 Systems as of the prior fiscal year end, then the quarterly report provided shall
7 describe how that increase complies with the duties described in
8 G.S. 147-69.7 and the consequent expected impact on the risk profile of the
9 Retirement Systems' assets.
- 10 (2) A specific listing of all investments made with certified green managers and
11 companies and funds that support sustainable practices, including the names
12 of the companies, managers, and funds, the amount invested, and the State's
13 return on investment.
- 14 (3) For bank balances:
- 15 a. The State's total bank balance with the State Treasurer, including the
16 amount of cash on hand and money on deposit.
- 17 b. For each bank or other qualified depository utilized by the State
18 Treasurer to hold cash balances, (i) the name of each depository and
19 (ii) current quarter end cash balances.
- 20 (4) For the State Treasurer's cash management programs:
- 21 a. Total assets.
- 22 b. Duration of investments.
- 23 c. Rate of return, including a comparison to an appropriate benchmark,
24 if available.
- 25 (5) For the Retirement Systems, as defined in G.S. 147-69.2(b)(8), reported
26 separately for each asset class authorized by G.S. 147-69.2(b):
- 27 a. Total assets.
- 28 b. Rate of return, including a comparison to an appropriate benchmark,
29 if available.
- 30 c. Percentage of the total assets that are invested in the asset class and the
31 limitation, if any, on the percentage under G.S. 147-69.2(b).
- 32 (6) For each investment program created under G.S. 147-69.3:
- 33 a. The financial condition of each investment program.
- 34 b. A full and complete statement of all moneys invested by virtue of the
35 provisions of G.S. 147-69.1 and G.S. 147-69.2.
- 36 c. The nature and character of the investments.
- 37 d. The revenues derived from the investments, net of fees and expenses.
- 38 e. The costs of administering, managing, and operating the investment
39 programs, including the recapture of any investment commissions.
- 40 f. The location on the State Treasurer's Web site where the public may
41 find a statement of the investment policies for the revenues invested.
- 42 g. Any other information that may be helpful in understanding the State
43 Treasurer's investment policies, investment practices, and investment
44 results.
- 45 h. Any other information requested by the House of Representatives and
46 Senate Finance Committees.
- 47 i. The location on the State Treasurer's Web site where the public may
48 find a list of new commitments to external investment managers.
- 49 j. The location on the State Treasurer's Web site where the public may
50 find information on the use of placement agents by investment
51 managers.

- 1 (7) ~~For all other investments with or on behalf of the State or any of its agencies~~
2 ~~or institutions:~~
- 3 a. ~~The particular agency or institution, fund, rate of return, and duration~~
4 ~~of the investment.~~
- 5 b. ~~The amount of deposit on all noninterest bearing accounts.~~
- 6 (a1) On a monthly basis, the Investment Authority shall report on the performance of all
7 investments for which the Investment Authority is in any way responsible. The monthly report
8 shall include all of the following information:
- 9 (1) The beginning and ending market value of each investment program and
10 deposits or withdrawals.
- 11 (2) The rate of return, net of all fees, and expenses for various time periods,
12 including comparisons to an appropriate benchmark, if available. For the
13 Retirement Systems' investment program, asset class level information shall
14 also be provided.
- 15 (3) The asset allocation of each investment program and compliance with any
16 statutory limitations or limitations set by the Board of Directors.
- 17 (4) All of the following information for each investment program:
- 18 a. The location on the Investment Authority's website where the public
19 may find a statement of the investment policies.
- 20 b. The location on the Department's or Investment Authority's website
21 where the public may find a list of new commitments to external
22 investment managers and on the use of placement agents by
23 investment managers.
- 24 c. Any other information that may be helpful in understanding the
25 Investment Authority's investment policies, investment practices, and
26 investment results.
- 27 (b) No later than the date set by G.S. 147-69.9 for the submission of consolidated
28 stand-alone financial statements, the ~~State Treasurer~~ Investment Authority shall report annually
29 on the fees and performance of all externally and internally managed investments for the
30 ~~Retirement Systems defined in G.S. 147-69.2(b)(8). Systems.~~ Externally managed investments
31 shall be reported on the basis of each investment vehicle or investment manager, as applicable.
32 Internally managed investments shall be reported on a portfolio-by-portfolio basis. The ~~State~~
33 ~~Treasurer's~~ Investment Authority's annual report shall include all of the following, as applicable,
34 reported separately for each investment:
- 35 (1) The name, commitment amount, statutory classification, and inception year.
- 36 (2) Either a statement that the investment is managed internally by the staff of the
37 ~~State Treasurer~~ Investment Authority or the names of the external investment
38 manager and the investment vehicle for that investment.
- 39 (3) ~~Value~~ The value of the investment.
- 40 (4) ~~Dollar~~ The dollar amount of the management fees and incentive fees.
- 41 (5) ~~For investment-grade fixed income or public equity investments, public~~
42 market investment manager accounts, the periodic net annualized
43 time-weighted rate of return for that fiscal year and since inception, reported
44 net of fees.
- 45 (6) For all investments other than ~~investment-grade fixed income or public equity~~
46 ~~investments,~~ public market investment manager accounts, all of the following:
- 47 a. The net annualized internal rate of return and investment multiple
48 since inception, reported net of fees.
- 49 b. The total cash contributions or other investments ~~made by the State~~
50 Treasurer made.

c. The total distribution received by the State Treasurer with respect to that investment since inception, reported net of fees.

~~(7) For any fund of funds investment vehicles, the aggregate management fees and incentive fees for the underlying investment managers or investment vehicles used by the external investment manager.~~

(8) If any placement agent fees relating to the investment were directly or indirectly borne by the State Treasurer Investment Authority or Retirement Systems, a list of the amount and type of those fees.

(c) The Treasurer shall report to the Governor annually the exact balance in the treasury to the credit of the State, with a summary of the receipts and payments of the treasury during the preceding fiscal year, and so far as practicable an account of the same down to the termination of the current calendar year.

(d) The reports required by this section shall be delivered to the Joint Legislative Commission on Governmental Operations, chairs of the House of Representatives and Senate Appropriations Committees, chairs of the House of Representative and Senate Finance Committees, Fiscal Research Division, Governor, Council of State, and State Auditor. The reports shall also be made available for public review, including by posting on the State Treasurer's Web site.

~~A copy of a report on any State Treasurer investment program shall be sent to review by the official, institution, board, commission, or other agency investing in that program. The programs, including by posting on the Investment Authority's website."~~

SECTION 38.3.(c) G.S. 147-70.6, as created by Section 38.1 of this act, reads as rewritten:

"§ 147-70.6. Discharge of duties to funds.

(a) The State Treasurer Investment Authority, including the Board of Directors, shall discharge his or her all duties with respect to each fund or investment program held by the Investment Authority to the credit of the State Treasurer, including each of the funds, funds enumerated in G.S. 147-69.2 as follows: G.S. 147-69.1 and G.S. 147-69.2, in all of the following manners:

- (1) Solely in the interest of the intended beneficiaries of the fund, if any.
- (2) For the exclusive purpose of carrying out the purpose of the fund, including providing benefits to participants and beneficiaries, and paying reasonable expenses of administering the fund.
- (3) With the care, skill, and caution that a prudent investor would use after considering the purposes, distribution requirements, and other circumstances then prevailing.
- (4) Impartially, taking into account any differing interests of participants and beneficiaries.
- (5) Incurring only costs that are appropriate and reasonable.
- (6) In accordance with a good-faith interpretation of the provisions of G.S. 147-69.2 and any other applicable law governing the fund.

(b) In investing and managing assets of the any fund or investment program pursuant to subsection (a) of this section, the State Treasurer Investment Authority shall do all of the following:

- (1) ~~Shall consider~~ Consider all of the following circumstances:
 - a. General economic conditions.
 - b. The possible effect of inflation or deflation.
 - c. The role that each investment or course of action plays within the overall portfolio of the fund.
 - d. The expected total return from income and the appreciation of capital.

- 1 e. Needs for liquidity, regularity of income, and preservation or
2 appreciation of capital.
- 3 f. With respect to the Retirement Systems ~~defined in G.S. 147-69.2(b)(8)~~
4 and any other pension plans, the adequacy of funding for the
5 Retirement Systems or other pension plan based on reasonable
6 actuarial factors.
- 7 g. The purpose of the fund, if established.
- 8 (2) ~~Shall diversify~~ Diversify the investments of the ~~fund~~ fund, unless the ~~State~~
9 ~~Treasurer~~ Investment Authority reasonably determines that, because of
10 special circumstances, including applicable investment restrictions, it is
11 clearly prudent not to do so.
- 12 (3) ~~Shall make~~ Make a reasonable effort to verify facts relevant to the investment
13 and management of assets of the funds.
- 14 (4) ~~Shall invest only in those investments authorized by law consistent with the~~
15 ~~provisions of Article 6 of Chapter 146 of the General Statutes.~~
- 16 (5) ~~Shall, in~~ In the evaluation of an investment, or in the evaluation or exercise of
17 any right appurtenant to an investment, consider only pecuniary
18 ~~factors;~~ factors as follows:
- 19 a. For the purposes of this section, a pecuniary factor is a factor that has
20 a material effect on the financial risk or financial return of an
21 investment based on appropriate investment horizons consistent with
22 the purpose of the fund, if established.
- 23 b. Environmental or social considerations are pecuniary factors only if
24 they present economic risks or opportunities that qualified investment
25 professionals would treat as material economic considerations under
26 generally accepted investment theories. The weight given to those
27 factors shall solely reflect a prudent assessment of their impact on risk
28 and return.
- 29 ~~(6) May,~~
- 30 (b1) In investing and managing assets of any fund or investment program pursuant to
31 subsection (a) of this section, the Investment Authority may, in the evaluation or exercise of any
32 right appurtenant to an investment, reasonably conclude that not exercising such a that right is in
33 the best interest of the fund's beneficiaries.
- 34 (c) Compliance by the ~~State Treasurer~~ Investment Authority with this section must be
35 determined in light of the facts and circumstances existing at the time of the ~~Treasurer's~~
36 Investment Authority's decision or action and not by hindsight.
- 37 (d) ~~The State Treasurer's~~ Investment Authority's investment and management decisions
38 must be evaluated not in isolation but in the context of the portfolio of the fund as a whole and
39 as part of an overall investment strategy having risk and return objectives reasonably suited to
40 the fund.
- 41 (e) ~~Notwithstanding any of the foregoing, the State Treasurer~~ other provision of this
42 section to the contrary, the Investment Authority shall have no duty to assist or advise any
43 official, board, commission, local government, other public authority, school administrative unit,
44 local ABC board, community college of the State, or other person, trust, agency, institution, or
45 entity in connection with any of the following decisions and directions with respect to any funds
46 to be deposited with the State Treasurer and invested by the ~~State Treasurer~~ Investment
47 Authority.
- 48 (1) The voluntary decision to deposit or withdraw funds in accordance with
49 applicable law in one or more of the ~~State Treasurer's~~ Investment Authority's
50 investment programs.

1 (2) The voluntary direction as to the allocation of deposited funds in accordance
2 with applicable law among the ~~State Treasurer's~~ Investment Authority's
3 investment programs.

4 (3) Any other decision or direction by which the depositor exercises control over
5 assets deposited or to be deposited with the State Treasurer or the Investment
6 Authority in accordance with applicable law."

7 **SECTION 38.3.(d)** G.S. 147-71.2(a), as enacted by Section 38.2(b) of this act, is
8 amended by adding a new subdivision to read:

9 "(6) The Board of Directors has the following liquidity monitoring duties:

10 a. Upon the quarterly receipt of liquidity monitoring requirements from
11 the Chief Investment Officer, the Board of Directors shall ensure that
12 a portion of the Retirement Systems' invested assets are at all times
13 available to be converted in an orderly fashion to cash proceeds
14 sufficient to meet projected net benefit payments and highly probable
15 contractual obligations.

16 b. The Board of Directors shall annually certify the allocation of illiquid
17 investment.

18 c. If the Board of Directors determines that liquidity is insufficient, then
19 the Board of Directors may direct the CIO to pause new contractual
20 commitments to illiquid investments or implement other mitigation
21 activities."

22 **SECTION 38.3.(e)** G.S. 147-72.1, as enacted by Section 38.2(b) of this act, is
23 amended by adding a new subsection to read:

24 "(e) Management of Retirement Systems Investments. – The Chief Investment Officer
25 shall manage the Retirement Systems investments to remain within the approved absolute risk
26 operating range set by the Board of Directors in accordance with G.S. 147-71.2(a)(4)."

27 **SECTION 38.3.(f)** Rules adopted by the State Treasurer in effect as of December
28 31, 2025, and that are impacted by the change in authority under this section shall remain in
29 effect until amended by the Investment Authority, amended by law, or repealed.

30 **SECTION 38.3.(g)** G.S. 128-29(c) reads as rewritten:

31 "(c) Custodian of Funds. – The State Treasurer shall be the custodian of the several funds
32 and shall deposit these funds with the Investment Authority to invest ~~their~~ these assets in
33 accordance with ~~the provisions of G.S. 147-69.2 and 147-69.3.~~ Article 6 of Chapter 147 of the
34 General Statutes. All payments from said funds shall be made by ~~him~~ the State Treasurer only
35 upon vouchers signed by two persons designated by the Board of Trustees. The secretary of the
36 Board of Trustees shall furnish said Board a surety bond in a company authorized to do business
37 in North Carolina in such amount as shall be required by the Board, the premium to be paid from
38 the expense fund."

39 **SECTION 38.3.(h)** G.S. 135-7(c) reads as rewritten:

40 "(c) Custodian of Funds; Disbursements; Bond of Director. – The State Treasurer shall be
41 the custodian of the several funds and shall deposit these funds with the Investment Authority to
42 invest ~~their~~ these assets in accordance with ~~the provisions of G.S. 147-69.2 and 147-69.3.~~ Article
43 6 of Chapter 147 of the General Statutes."

44 **SECTION 38.3.(i)** This section is effective January 1, 2026.

45
46 **PART XXXIX. GENERAL GOVERNMENT – MISCELLANEOUS [RESERVED]**

47
48 **PART XL. INFORMATION TECHNOLOGY**

49
50 **BROADBAND FUND FLEXIBILITY**

51 **SECTION 40.1.(a)** G.S. 143B-1373.2 is repealed.

1 **SECTION 40.1.(b)** G.S. 143B-1374 is repealed.

2 **SECTION 40.1.(c)** The Department of Information Technology shall use funds
3 appropriated for the Growing Rural Economies with Access to Technology program for fixed
4 wireless and satellite broadband grants, established in G.S. 143B-1373.2 to award grants to
5 eligible entities to purchase installation materials for satellite internet service. Installation
6 materials must be for the grantee's own use and not for distribution to other parties. The
7 Department shall prioritize grant applicants that will deploy installation materials in one of the
8 39 counties designated as a disaster area due to Hurricane Helene. The Department may also give
9 priority to grantees that offer emergency services, disaster relief, educational services, or
10 economic development.

11 **SECTION 40.1.(d)** For the purposes of this section, an eligible entity is one of the
12 following:

- 13 (1) A State agency.
- 14 (2) A local government entity.
- 15 (3) A volunteer fire department.
- 16 (4) An anchor point, as that term is defined in G.S. 117-18.1(d)(1).

17 **SECTION 40.1.(e)** The Department of Information Technology may provide
18 emergency funding to communications services providers to rebuild, repair, or replace broadband
19 infrastructure damaged by Hurricane Helene, including costs already incurred for rebuilding,
20 repairing, or replacing broadband infrastructure, provided that all of the following apply:

- 21 (1) An applicant for funding under this section shall only be permitted to recovery
22 costs that are not subject to reimbursement from another source of external
23 funding, including insurance.
- 24 (2) The Department may cap reimbursement at a portion of the costs incurred
25 based upon evaluation of considerations, such as the number of applications
26 anticipated compared to funds available.
- 27 (3) Priority shall be given to restoration of broadband service.

28 **SECTION 40.1.(f)** The Department may use up to fifty million dollars (\$50,000,000)
29 of the funds available from the Broadband Make Ready Accelerator appropriation in S.L.
30 2021-180 for the emergency funding described in subsection (e) of this section. Funds shall be
31 used in compliance with applicable federal guidelines associated with the use of federal funds.
32 The Department may use its emergency procurement authority provided in 09 NCAC 06B .1302
33 to procure any goods or services in accordance with this section and shall document the request
34 for funding, the emergency situation or need, the area to be served, and the community's need for
35 the procurement.

36 **SECTION 40.1.(g)** Section 38.15 of S.L. 2021-180, as enacted by Section 16.1(a)
37 of S.L. 2022-6, reads as rewritten:

38 "**SECTION 38.15.** Except as otherwise ~~provided,~~ provided and after the intent of the original
39 appropriation has been satisfied to the extent practicable, the Department of Information
40 Technology shall have flexibility to transfer funding between the programs outlined in Section
41 38.4, Section 38.5, and Section 38.6 of this act, ~~so long as the total allocations for the programs~~
42 ~~remain the same.act."~~

43 **SECTION 40.1.(h)** The Department of Information Technology, working with the
44 North Carolina Pandemic Recovery Office in the Office of State Budget and Management, shall
45 ensure that all federal laws, regulations, and guidance, including reporting requirements, are
46 followed in the reallocation of funding between projects funded with federal State Fiscal
47 Recovery Funds described in this section.

48 **SECTION 40.1.(i)** Section 10.2(p) of S.L. 2024-55 reads as rewritten:

49 "**SECTION 10.2.(p)** ~~The State Controller shall establish~~ There is established a BEAD
50 Reserve (Reserve) Fund (Fund) in the General Fund to maintain federal funds received from the
51 IIJA for the BEAD Program. ~~The State Controller shall transfer funds to the GREAT 3.0 Fund~~

1 ~~established in subsection (d) of this section only as needed to meet the appropriations set out in~~
2 ~~subsequent legislation. Funds reserved in the Reserve do not constitute an "appropriation made~~
3 ~~by law," as that phrase is used in Section 7(1) of Article V of the North Carolina~~
4 ~~Constitution. Monies received in the Fund may be used for the purposes set forth in this section,~~
5 ~~subject to applicable federal rules and regulations, and those funds are hereby appropriated for~~
6 ~~those purposes."~~

8 **CHANGES TO THE BROADBAND POLE REPLACEMENT PROGRAM**

9 **SECTION 40.2.(a)** Section 38.10 of S.L. 2021-180, as amended by Section 16.4 of
10 S.L. 2022-6, reads as rewritten:

11 **"BROADBAND ACCELERATION**

12 ...

13 **"SECTION 38.10.(g)** A pole owner shall promptly review a request for access, perform
14 surveys, provide estimates and final invoices, and complete, or require the completion by other
15 attaching entities of, any make-ready work necessary for purposes of offering broadband service
16 in an unserved area. A pole owner shall provide a good-faith estimate for any make-ready costs
17 to the communications service provider within 60 days after receipt of a complete application for
18 access. If requested by the communications service provider, the pole owner shall provide
19 accompanying documentation indicating the basis of all estimated fees or other charges,
20 including, but not limited to, administrative costs, that form the basis of its estimate. A good-faith
21 estimate shall remain valid for 14 days. To accept a good-faith estimate, a communications
22 service provider must provide the pole owner with written acceptance and payment of the
23 good-faith estimate. Make-ready work shall be conditioned upon payment of the good-faith
24 estimate and shall be completed within a reasonable time frame mutually agreed to by the
25 communications service provider and the pole owner. A pole owner may treat multiple requests
26 from a single communications service provider as one application for access when the requests
27 are filed within 90 days of one another. A pole owner may deviate from the time limits specified
28 in this subsection during performance of make-ready work for good and sufficient cause that
29 renders it infeasible to complete make-ready work within the time limits specified in this
30 subsection. Any deviation from the time limits specified in this subsection shall extend for a
31 period no longer than necessary. A communications service provider shall promptly be notified,
32 in writing, of the reason for a deviation and the new completion date estimate. A communications
33 service provider shall provide notice, in writing, to the pole owner no later than 14 days after
34 attaching equipment to a pole in an unserved area. This subsection shall not apply to poles owned
35 by a utility.

36 **"SECTION 38.10.(h)** A party subject to a dispute arising under subsection (g) of this section
37 may invoke the dispute procedures authorized in G.S. 62-350 in the same manner as a party
38 seeking resolution of a dispute under G.S. 62-350(c), and the Utilities Commission shall issue a
39 final order resolving the dispute within 120 days of the date the proceedings were initiated;
40 provided, however, the Commission may extend the time for issuance of a final order for good
41 cause and with the agreement of all parties. In such a dispute, the Commission shall apply the
42 provisions of this section notwithstanding any contrary provisions of any existing agreement.
43 This subsection shall not apply to poles owned by a utility.

44 **"SECTION 38.10.(i)** No later than 60 days after the date funds are appropriated to the
45 Program special fund, and on a quarterly basis thereafter, the Department shall maintain and
46 publish on its website all of the following:

- 47 (1) The number of applications for reimbursement received, processed, and
48 rejected, including the reasons applications were rejected.
- 49 (2) The amount of each reimbursement, the total number of reimbursements, and
50 the status of any pending reimbursements.
- 51 (3) The estimated remaining balance in the Program special fund.

"SECTION 38.10.(j) The following definitions apply in this section:

- ...
 - (4) Eligible pole replacement cost. – The actual and reasonable costs paid or incurred by a party after June 1, 2021, to (i) remove and replace a pole, including the amount of any expenditures to remove and dispose of the existing pole, purchase and install a replacement pole, and transfer any existing facilities to the new pole-pole or (ii) place facilities, including lines, conduit, and related equipment, underground to better protect the critical infrastructure from natural disaster. The term includes costs paid or incurred by the party responsible for the costs of a pole replacement to reimburse the party that performs the pole replacement. The term does not include costs that the party incurs initially that have been reimbursed to the party by another party ultimately responsible for the costs.
 - (5) Pole. – Any pole used, wholly or partly, for any wire communications or electric distribution, irrespective of who owns or operates the ~~pole-pole~~, including poles owned by a utility.
 - (6) Pole owner. – A city or cooperatively organized entity that owns utility poles.
 - (7) Qualified project. – A project undertaken by a communications service provider that is not affiliated with a pole owner seeking to provide or, due to natural disaster or other force majeure event, restore, temporarily or permanently, qualifying internet access service on a retail basis to one or more households, businesses, agricultural operations, or community access points in an unserved area.
 - ...
 - (9) Unserved area. – An area in which, according to the most recent map of fixed broadband internet access service made available by the Federal Communications Commission, fixed, terrestrial broadband service at speeds of at least 25 megabits per second download and at least 3 megabits per second upload is unavailable at the time the communications service provider requests access. An unserved area also includes an area that was previously served but has become unserved due to damage or destruction by a natural disaster. A pole or underground installation shall be presumed to be located in an unserved area if the pole is located in an area that is the subject of a federal or State grant to deploy broadband service, the conditions of which limit the availability of a grant to unserved areas-areas or, in the case of a damaged or destroyed facility, was in such an area when the facility was originally constructed.
 - (10) Utility. – As defined by 47 U.S.C. § 224.

...."

SECTION 40.2.(b) This section is effective when it becomes law. Funds encumbered for expenses incurred as of June 1, 2021, prior to the effective date of this section shall remain eligible for reimbursement.

PART XLI. SALARIES AND BENEFITS

ELIGIBLE STATE-FUNDED EMPLOYEES AWARDED LEGISLATIVE SALARY INCREASE

SECTION 41.1.(a) Effective July 1, 2025, except as provided by subsection (b) of this section, a person (i) whose salary is set by this Part, pursuant to the North Carolina Human Resources Act, or as otherwise authorized in this act and (ii) who is employed in a State-funded

1 position on June 30, 2025, is awarded a legislative salary increase in the 2025-2026 fiscal year,
2 as follows:

3 (1) A cost-of-living adjustment in the amount of one and twenty-five hundredths
4 percent (1.25%).

5 (2) Any other salary adjustment otherwise allowed or provided by law.

6 **SECTION 41.1.(b)** For the 2025-2027 fiscal biennium, the following persons are
7 not eligible to receive the legislative salary increases provided by subsection (a) of this section:

8 (1) Employees of local boards of education.

9 (2) Employees of The University of North Carolina.

10 (3) Clerks of superior court compensated under G.S. 7A-101.

11 (4) Officers and employees to which Section 41.14 of this Part applies.

12 (5) Officers and employees to which Section 41.15 of this Part applies.

13 (6) Officers and employees to which Section 41.16 of this Part applies.

14 (7) Employees of schools operated by the Department of Health and Human
15 Services, the Department of Public Safety, the Department of Adult
16 Correction, the Governor Morehead School for the Blind, the Eastern North
17 Carolina School for the Deaf, the North Carolina School for the Deaf, and the
18 State Board of Education who are paid based on the Teacher Salary Schedule.

19 **SECTION 41.1.(c)** Part-time employees shall receive the increases authorized by
20 this section on a prorated and equitable basis.

21 **SECTION 41.1.(d)** No eligible State-funded employee shall be prohibited from
22 receiving the full salary increases provided in this section solely because the employee's salary
23 after applying the legislative salary increase is above the maximum of the salary range prescribed
24 by the State Human Resources Commission.

25 **BONUS AWARDED IN EACH YEAR OF 2025-2027 BIENNIUM**

26 **SECTION 41.2.(a)** For the 2025-2026 fiscal year, any State-funded employee (i)
27 whose salary is set by Part VII-A of this act or by this Part, pursuant to the North Carolina Human
28 Resources Act, or as otherwise authorized in this act and (ii) who is employed on June 30, 2025,
29 shall be awarded a bonus in the amount of one thousand five hundred dollars (\$1,500), payable
30 during the month of September 2025.

31 **SECTION 41.2.(b)** For the 2026-2027 fiscal year, any State-funded employee (i)
32 whose salary is set by Part VII-A of this act or by this Part, pursuant to the North Carolina Human
33 Resources Act, or as otherwise authorized in this act and (ii) who is employed on June 30, 2026,
34 shall be awarded a bonus in the amount of one thousand five hundred dollars (\$1,500), payable
35 during the month of September 2026.

36 **SECTION 41.2.(c)** The funds appropriated for bonuses in excess of the amounts
37 required to implement these bonuses shall revert to the General Fund. The compensation bonuses
38 awarded by this section are not compensation for the purposes of any retirement system
39 administered by the State. The compensation bonuses awarded by this section are not part of
40 annual salary and shall be paid out separately. The compensation bonus shall be awarded to
41 eligible State-funded permanent employees without regard to an employee's placement within
42 the salary range, including employees at the top of the salary range. The compensation bonus
43 shall be adjusted pro rata for permanent part-time employees.
44

45 **GOVERNOR AND COUNCIL OF STATE**

46 **SECTION 41.3.(a)** Effective July 1, 2025, G.S. 147-11(a) reads as rewritten:

47 "**§ 147-11. Salary and expense allowance of Governor; allowance to person designated to**
48 **represent Governor's office.**
49

(a) The salary of the Governor shall be ~~two hundred three thousand seventy three dollars (\$203,073)~~ two hundred five thousand six hundred eleven dollars (\$205,611) annually, payable monthly."

SECTION 41.3.(b) Effective July 1, 2025, the annual salaries for members of the Council of State, payable monthly, are set as follows:

| Council of State | Annual Salary |
|--------------------------------------|----------------------|
| Lieutenant Governor | \$170,489 |
| Attorney General | 170,489 |
| Secretary of State | 170,489 |
| State Treasurer | 170,489 |
| State Auditor | 170,489 |
| Superintendent of Public Instruction | 170,489 |
| Agriculture Commissioner | 170,489 |
| Insurance Commissioner | 170,489 |
| Labor Commissioner | 170,489 |

CERTAIN EXECUTIVE BRANCH OFFICIALS

SECTION 41.4. Effective July 1, 2025, the annual salaries, payable monthly, for the following executive branch officials are as follows:

| Executive Branch Officials | Annual Salary |
|---|----------------------|
| Chairman, Alcoholic Beverage Control Commission | \$142,605 |
| State Controller | 198,570 |
| Commissioner of Banks | 160,052 |
| Chair, Board of Review, Division of Employment Security | 156,993 |
| Members, Board of Review, Division of Employment Security | 155,075 |
| Chairman, Parole Commission | 156,993 |
| Full-time Members of the Parole Commission | 145,156 |
| Chairman, Utilities Commission | 203,555 |
| Members of the Utilities Commission | 177,962 |
| Executive Director, North Carolina Agricultural Finance Authority | 138,876 |
| State Fire Marshal | 140,788 |

JUDICIAL BRANCH

SECTION 41.5.(a) Effective July 1, 2025, the annual salaries, payable monthly, for the following judicial branch officials are as follows:

| Judicial Branch Officials | Annual Salary |
|--|----------------------|
| Chief Justice, Supreme Court | \$205,611 |
| Associate Justice, Supreme Court | 200,275 |
| Chief Judge, Court of Appeals | 197,107 |
| Judge, Court of Appeals | 191,991 |
| Judge, Senior Regular Resident Superior Court | 176,428 |
| Judge, Superior Court | 171,239 |
| Chief Judge, District Court | 169,642 |
| Judge, District Court | 164,653 |
| Chief Administrative Law Judge | 164,653 |
| District Attorney | 169,429 |
| Assistant Administrative Officer of the Courts | 153,713 |
| Public Defender | 169,429 |
| Director of Indigent Defense Services | 170,672 |

1 **SECTION 41.5.(b)** The district attorney of a judicial district, with the approval of
 2 the Administrative Officer of the Courts, and the public defender of a judicial district, with the
 3 approval of the Commission on Indigent Defense Services, shall set the salaries of assistant
 4 district attorneys and assistant public defenders in that district such that the average salary of
 5 those assistants in that district does not exceed one hundred two thousand five hundred sixty-five
 6 dollars (\$102,565) and the minimum salary of any assistant is at least fifty-five thousand
 7 forty-nine dollars (\$55,049), effective July 1, 2025.

8
 9 **CLERKS OF SUPERIOR COURT**

10 **SECTION 41.6.** Effective July 1, 2025, G.S. 7A-101(a) reads as rewritten:
 11 "**§ 7A-101. Compensation.**

12 (a) The clerk of superior court is a full-time employee of the State and shall receive an
 13 annual salary, payable in equal monthly installments, based on the number of State-funded
 14 assistant and deputy clerks of court as determined by the Administrative Office of Court's
 15 workload formula, according to the following schedule:

| Assistants and Deputies | Annual Salary |
|-------------------------|---------------------------------------|
| 0-19 | \$111,726 <u>\$113,123</u> |
| 20-29 | 123,488 <u>125,032</u> |
| 30-49 | 135,248 <u>136,939</u> |
| 50-99 | 147,010 <u>148,848</u> |
| 100 and above | 149,949 <u>151,823</u> |

22 If the number of State-funded assistant and deputy clerks of court as determined by the
 23 Administrative Office of Court's workload formula changes, the salary of the clerk shall be
 24 changed, on July 1 of the fiscal year for which the change is reported, to the salary appropriate
 25 for that new number, except that the salary of an incumbent clerk shall not be decreased by any
 26 change in that number during the clerk's continuance in office."

27
 28 **ASSISTANT AND DEPUTY CLERKS OF COURT**

29 **SECTION 41.7.** Effective July 1, 2025, G.S. 7A-102(c1) reads as rewritten:

30 "(c1) A full-time assistant clerk or a full-time deputy clerk, and up to one full-time deputy
 31 clerk serving as head bookkeeper per county, shall be paid an annual salary subject to the
 32 following minimum and maximum rates:

| Assistant Clerks and Head Bookkeeper | Annual Salary |
|--------------------------------------|-------------------------------------|
| Minimum | \$40,482 <u>\$40,988</u> |
| Maximum | 74,792 <u>75,727</u> |
| | |
| Deputy Clerks | Annual Salary |
| Minimum | \$36,315 <u>\$36,769</u> |
| Maximum | 58,740 <u>59,474</u> " |

41
 42 **MAGISTRATES**

43 **SECTION 41.8.** Effective July 1, 2025, G.S. 7A-171.1(a)(1) reads as rewritten:

44 "(1) A full-time magistrate shall be paid the annual salary indicated in the table set
 45 out in this subdivision. A full-time magistrate is a magistrate who is assigned
 46 to work an average of not less than 40 hours a week during the term of office.
 47 The Administrative Officer of the Courts shall designate whether a magistrate
 48 is full-time. Initial appointment shall be at the entry rate. A magistrate's salary
 49 shall increase to the next step every two years on the anniversary of the date
 50 the magistrate was originally appointed for increases to Steps 1 through 3, and

every four years on the anniversary of the date the magistrate was originally appointed for increases to Steps 4 through 6:

Table of Salaries of Full-Time Magistrates

| Step Level | Annual Salary |
|------------|---------------------|
| Entry Rate | \$47,228\$47,818 |
| Step 1 | \$50,714\$51,348 |
| Step 2 | \$54,475\$55,156 |
| Step 3 | \$58,457\$59,188 |
| Step 4 | \$63,228\$64,018 |
| Step 5 | \$68,973\$69,835 |
| Step 6 | \$75,415.\$76,358." |

LEGISLATIVE EMPLOYEES

SECTION 41.9.(a) Effective July 1, 2025, the annual salaries of the Legislative Services Officer and of nonelected employees of the General Assembly in effect on June 30, 2025, shall be legislatively increased by one and twenty-five hundredths percent (1.25%).

SECTION 41.9.(b) Nothing in this act limits any of the provisions of G.S. 120-32.

GENERAL ASSEMBLY PRINCIPAL CLERKS

SECTION 41.10. Effective July 1, 2025, G.S. 120-37(c) reads as rewritten:

"(c) The principal clerks shall be full-time officers. Each principal clerk shall be entitled to other benefits available to permanent legislative employees and shall be paid an annual salary of ~~one hundred thirty three thousand nine hundred thirty six dollars (\$133,936)~~, one hundred thirty-five thousand six hundred ten dollars (\$135,610), payable monthly. Each principal clerk shall also receive such additional compensation as approved by the Speaker of the House of Representatives or the President Pro Tempore of the Senate, respectively, for additional employment duties beyond those provided by the rules of their House. The Legislative Services Commission shall review the salary of the principal clerks prior to submission of the proposed operating budget of the General Assembly to the Governor and shall make appropriate recommendations for changes in those salaries. Any changes enacted by the General Assembly shall be by amendment to this ~~paragraph~~subsection."

SERGEANTS-AT-ARMS AND READING CLERKS

SECTION 41.11. Effective July 1, 2025, G.S. 120-37(b) reads as rewritten:

"(b) The sergeant at arms and the reading clerk in each house shall be paid a salary of ~~five hundred twenty eight dollars (\$528.00)~~ five hundred thirty-five dollars (\$535.00) per week plus subsistence at the same daily rate provided for members of the General Assembly, plus mileage at the rate provided for members of the General Assembly for one round trip only from their homes to Raleigh and return. The sergeants at arms shall serve during sessions of the General Assembly and at such time prior to the convening of, and subsequent to adjournment or recess of, sessions as may be authorized by the Legislative Services Commission. The reading clerks shall serve during sessions only.

Each sergeant at arms shall also receive such additional compensation as approved by the Speaker of the House of Representatives or the President Pro Tempore of the Senate, respectively, for additional employment duties beyond those provided by the rules of their House. The Legislative Services Commission shall review the salary of the sergeant at arms prior to submission of the proposed operating budget of the General Assembly to the Governor and shall make appropriate recommendations for changes in those salaries. Any changes enacted by the General Assembly shall be by amendment to this subsection."

COMMUNITY COLLEGES

1 **SECTION 41.12.(a)** Effective July 1, 2025, the State Board of Community Colleges
 2 shall provide community college faculty and non-faculty personnel with an across-the-board
 3 salary increase in the amount of one and twenty-five hundredths percent (1.25%).

4 **SECTION 41.12.(b)** Effective July 1, 2025, the minimum salaries for nine-month,
 5 full-time curriculum community college faculty are as follows:

| Educational Level | Minimum Salary |
|---|-----------------------|
| Vocational Diploma/Certificate or Less | \$43,659 |
| Associate Degree or Equivalent | 44,267 |
| Bachelor's Degree | 46,900 |
| Master's Degree or Education Specialist | 49,237 |
| Doctoral Degree | 52,605 |

12 **SECTION 41.12.(c)** No full-time faculty member shall earn less than the minimum
 13 salary for the faculty member's education level. The pro rata hourly rate of the minimum salary
 14 for each education level shall be used to determine the minimum salary for part-time faculty
 15 members.

17 **UNIVERSITY OF NORTH CAROLINA**

18 **SECTION 41.13.** Effective July 1, 2025, the Board of Governors of The University
 19 of North Carolina shall provide SHRA employees, EHRA employees, and teachers employed by
 20 the North Carolina School of Science and Mathematics with an across-the-board salary increase
 21 in the amount of one and twenty-five hundredths percent (1.25%).

23 **CORRECTIONAL OFFICERS/YOUTH COUNSELORS/YOUTH COUNSELOR**
 24 **TECHNICIANS/YOUTH SERVICES BEHAVIORAL SPECIALISTS – SALARY**
 25 **SCHEDULE**

26 **SECTION 41.14.(a)** State employees serving as correctional officers in the
 27 Department of Adult Correction shall be compensated at a specific pay rate on the basis of a
 28 salary schedule determined according to the duration of the employee's correctional officer work
 29 experience.

30 **SECTION 41.14.(a1)** State employees serving in the Department of Public Safety,
 31 Division of Juvenile Justice and Delinquency Prevention, shall be compensated at a specific pay
 32 rate set on the basis of a salary schedule determined according to the duration of the employee's
 33 work experience, as follows:

- 34 (1) Youth Counselor Technicians shall be paid under the Correctional Officer I
 35 salary schedule.
- 36 (2) Youth Services Behavioral Specialists shall be paid under the Correctional
 37 Officer II salary schedule.
- 38 (3) Youth Counselors shall be paid under the Correctional Officer III salary
 39 schedule.

40 **SECTION 41.14.(b)** Effective July 1, 2025, the following annual salary schedule
 41 will apply for the 2025-2027 fiscal biennium under subsections (a) and (a1) of this section:

| Experience | COI | COII | COIII |
|-------------------|------------|-------------|--------------|
| 44 0 | 40,066 | 41,385 | 44,259 |
| 45 1 | 42,869 | 44,281 | 47,358 |
| 46 2 | 45,444 | 46,985 | 50,201 |
| 47 3 | 47,715 | 49,285 | 52,711 |
| 48 4 | 49,623 | 51,256 | 54,819 |
| 49 5 | 51,113 | 52,793 | 56,463 |
| 50 6+ | 52,135 | 53,850 | 57,593 |

1 **SECTION 41.14.(c)** If an employee will not receive a salary increase under this
 2 section because the employee's salary exceeds the scheduled salary level, then the employee shall
 3 receive an annual salary increase equal to the amount of the across-the-board legislative salary
 4 increase authorized in this Part.

5
 6 **STATE HIGHWAY PATROL/STATE BUREAU OF INVESTIGATION/ALCOHOL**
 7 **LAW ENFORCEMENT – SALARY SCHEDULE**

8 **SECTION 41.15.(a)** Effective July 1, 2025, law enforcement officers of the State
 9 Highway Patrol, State Bureau of Investigation, and Alcohol Law Enforcement shall be
 10 compensated pursuant to an experience-based salary schedule and shall be compensated based
 11 on the officer's respective work experience pursuant to the salary schedule in subsection (b) of
 12 this section.

13 **SECTION 41.15.(b)** The following annual salary schedule applies for the 2025-2027
 14 fiscal biennium under subsection (a) of this section:

| 15 Years of Experience | 16 FY 2025-27 |
|-------------------------------|----------------------|
| 17 0 | \$58,575 |
| 18 1 | 62,382 |
| 19 2 | 66,437 |
| 20 3 | 70,755 |
| 21 4 | 75,354 |
| 22 5 | 80,252 |
| 23 6+ | 85,468 |

24 **SECTION 41.15.(c)** If an employee will not receive a salary increase under this
 25 section because the employee's salary exceeds the scheduled salary level, then the employee shall
 26 receive an annual salary increase equal to the amount of the across-the-board legislative salary
 27 increase authorized in this Part.

28 **PROBATION AND PAROLE OFFICERS/JUVENILE COURT COUNSELORS –**
 29 **SALARY SCHEDULE**

30 **SECTION 41.16.(a)** Probation and parole officers shall be compensated pursuant to
 31 the experience-based salary schedule based on the officer's respective work experience, as
 32 established in subsection (b) of this section.

33 **SECTION 41.16.(a1)** State employees serving in the Department of Public Safety,
 34 Division of Juvenile Justice and Delinquency Prevention, as Juvenile Court Counselors shall be
 35 compensated under the probation and parole officer salary schedule.

36 **SECTION 41.16.(b)** Effective July 1, 2025, the following annual salary schedule
 37 applies for the 2025-2027 fiscal biennium under subsections (a) and (a1) of this section:

| 38 Years of Experience | 39 2025-27 |
|-------------------------------|-------------------|
| 40 0 | 46,898 |
| 41 1 | 49,946 |
| 42 2 | 53,194 |
| 43 3 | 56,651 |
| 44 4 | 60,334 |
| 45 5 | 64,256 |
| 46 6+ | 68,432 |

47 **SECTION 41.16.(c)** If an employee will not receive a salary increase under this
 48 section because the employee's salary exceeds the scheduled salary level, then the employee shall
 49 receive an annual salary increase equal to the amount of the across-the-board legislative salary
 50 increase authorized in this Part.

51 **STATE AGENCY TEACHERS**

1 **SECTION 41.17.** Employees of schools operated by the Department of Health and
2 Human Services, the Department of Public Safety, the Department of Adult Correction, the
3 Governor Morehead School for the Blind, the Eastern North Carolina School for the Deaf, the
4 North Carolina School for the Deaf, and the State Board of Education who are paid based on the
5 Teacher Salary Schedule shall be paid as authorized under this act.
6

7 **COUNCIL OF STATE/EXEMPT POSITIONS – FLEXIBILITY**

8 **SECTION 41.18.** G.S. 126-5(c14) reads as rewritten:

9 "(c14) Notwithstanding any provision of this Chapter to the contrary, each Council of State
10 agency and the Office of the State Controller has the sole authority to set the salary of its exempt
11 policymaking and exempt managerial positions within the minimum rates, and the maximum
12 rates plus ~~ten percent (10%)~~, thirty percent (30%), established by the State Human Resources
13 Commission under G.S. 126-4(2)."
14

15 **MOST STATE EMPLOYEES**

16 **SECTION 41.19.** Unless otherwise expressly provided by this Part, the annual
17 salaries in effect for the following persons on June 30, 2025, shall be legislatively increased as
18 provided by this act:

- 19 (1) Permanent, full-time State officials and persons whose salaries are set in
20 accordance with the State Human Resources Act.
- 21 (2) Permanent, full-time State officials and persons in positions exempt from the
22 State Human Resources Act.
- 23 (3) Permanent, part-time State employees.
- 24 (4) Temporary and permanent hourly State employees.
25

26 **ALL STATE-SUPPORTED PERSONNEL**

27 **SECTION 41.20.(a)** The legislative salary increases authorized by this act shall be
28 paid effective on July 1, 2025, and do not apply to persons separated from service due to
29 resignation, dismissal, reduction in force, death, or retirement or whose last workday is prior to
30 June 30, 2025.

31 **SECTION 41.20.(b)** The Director of the Budget is granted flexibility to administer
32 the compensation increases enacted by this act. The State employer contribution rates enacted by
33 this act for retirement and related benefits may be deemed by the Director of the Budget for
34 administrative purposes to become effective after July 1 to provide flexibility in the collection
35 and reconciliation of salary-related contributions as required by law, provided the estimated
36 amount contributed to any affected employee benefit trust equals the amount that would have
37 been contributed to the employee benefit trust if the enacted employer contribution rates had
38 been effective on July 1.

39 **SECTION 41.20.(c)** This section applies to all employees paid from State funds,
40 whether or not subject to or exempt from the North Carolina Human Resources Act, including
41 employees of public schools, community colleges, and The University of North Carolina.
42

43 **USE OF FUNDS APPROPRIATED FOR LEGISLATIVELY MANDATED INCREASES**

44 **SECTION 41.21.(a)** The Office of State Budget and Management shall ensure that
45 the appropriations made by this act for legislatively mandated salary increases and employee
46 benefits are used only for those purposes.

47 **SECTION 41.21.(b)** If the Director of the Budget determines that funds appropriated
48 to a State agency for legislatively mandated salary increases and employee benefits exceed the
49 amount required by that agency for those purposes, the Director may reallocate those funds to
50 other State agencies that received insufficient funds for legislatively mandated salary increases
51 and employee benefits.

1 **SECTION 41.21.(c)** Funds appropriated for legislatively mandated salary and
 2 employee benefit increases may not be used to adjust the budgeted salaries of vacant positions,
 3 to provide salary increases in excess of those required by the General Assembly, or to increase
 4 the budgeted salary of filled positions to the minimum of the position's respective salary range.

5 **SECTION 41.21.(d)** Any funds appropriated for legislatively mandated salary and
 6 employee benefit increases in excess of the amounts required to implement the increases shall be
 7 credited to the Pay Plan Reserve.

8 **SECTION 41.21.(e)** No later than May 1, 2026, the Office of State Budget and
 9 Management shall report to the Fiscal Research Division on the expenditure of funds for
 10 legislatively mandated salary increases and employee benefits. This report shall include at least
 11 the following information for each State agency:

- 12 (1) The total amount of funds that the agency received for legislatively mandated
 13 salary increases and employee benefits.
- 14 (2) The total amount of funds transferred from the agency to other State agencies
 15 pursuant to subsection (b) of this section. This section of the report shall
 16 identify the amounts transferred to each recipient State agency.
- 17 (3) The total amount of funds used by the agency for legislatively mandated salary
 18 increases and employee benefits.
- 19 (4) The amount of funds credited to the Pay Plan Reserve.

20
 21 **SALARY-RELATED CONTRIBUTIONS**

22 **SECTION 41.22.(a)** Effective for the 2025-2027 fiscal biennium, required employer
 23 salary-related contributions for employees whose salaries are paid from department, office,
 24 institution, or agency receipts shall be paid from the same source as the source of the employee's
 25 salary. If an employee's salary is paid in part from the General Fund or Highway Fund and in
 26 part from department, office, institution, or agency receipts, required employer salary-related
 27 contributions may be paid from the General Fund or Highway Fund only to the extent of the
 28 proportionate part paid from the General Fund or Highway Fund in support of the salary of the
 29 employee, and the remainder of the employer's requirements shall be paid from the source that
 30 supplies the remainder of the employee's salary. The requirements of this section as to source of
 31 payment are also applicable to payments on behalf of the employee for hospital medical benefits,
 32 longevity pay, unemployment compensation, accumulated leave, workers' compensation,
 33 severance pay, separation allowances, and applicable disability income benefits.

34 **SECTION 41.22.(b)** Effective July 1, 2025, the State's employer contribution rates
 35 budgeted for retirement, health, and related benefits as a percentage of covered salaries for the
 36 2025-2026 fiscal year for teachers and State employees, State law enforcement officers (LEOs),
 37 the University and Community Colleges Optional Retirement Programs (ORPs), the
 38 Consolidated Judicial Retirement System (CJRS), and the Legislative Retirement System (LRS)
 39 are as set forth below:

| | Teachers and State Employees | State LEOs | ORPs | CJRS | LRS |
|------------------------------|---|-----------------------|-------------|-------------|------------|
| 43 Retirement | 17.14% | 17.14% | 6.84% | 37.73% | 18.26% |
| 44 Health | 7.33% | 7.33% | 7.33% | 7.33% | 7.33% |
| 45 Disability | 0.07% | 0.07% | 0.07% | 0.00% | 0.00% |
| 46 Death | 0.13% | 0.13% | 0.00% | 0.00% | 0.00% |
| 47 NC 401(k) | 0.00% | 5.00% | 0.00% | 0.00% | 0.00% |
| 48 | | | | | |
| 49 Total Contribution | | | | | |
| 50 Rate | 24.67% | 29.67% | 14.24% | 45.06% | 25.59% |

1 The rate for health includes two and four-tenths percent (2.40%) for the Public
 2 Employee Health Benefit Fund and four and ninety-three hundredths percent (4.93%) for the
 3 Retiree Health Benefit Fund.

4 **SECTION 41.22.(c)** Effective July 1, 2026, the State's employer contribution rates
 5 budgeted for retirement, health, and related benefits as a percentage of covered salaries for the
 6 2026-2027 fiscal year for teachers and State employees, State law enforcement officers (LEOs),
 7 the University and Community Colleges Optional Retirement Programs (ORPs), the
 8 Consolidated Judicial Retirement System (CJRS), and the Legislative Retirement System (LRS)
 9 are as set forth below:

| | Teachers and State Employees | State LEOs | ORPs | CJRS | LRS |
|------------------------------|---|-----------------------|-------------|-------------|------------|
| 10 Retirement | 17.49% | 17.49% | 6.84% | 42.00% | 20.00% |
| 11 Health | 7.69% | 7.69% | 7.69% | 7.69% | 7.69% |
| 12 Disability | 0.09% | 0.09% | 0.09% | 0.00% | 0.00% |
| 13 Death | 0.13% | 0.13% | 0.00% | 0.00% | 0.00% |
| 14 NC 401(k) | 0.00% | 5.00% | 0.00% | 0.00% | 0.00% |
| 15 | | | | | |
| 16 | | | | | |
| 17 | | | | | |
| 18 | | | | | |
| 19 Total Contribution | | | | | |
| 20 Rate | 25.40% | 30.40% | 14.62% | 49.69% | 27.69% |

21 The rate for health includes two percent (2%) for the Public Employee Health Benefit
 22 Fund and five and sixty-nine hundredths percent (5.69%) for the Retiree Health Benefit Fund.

23 **SECTION 41.22.(d)** Effective July 1, 2025, the annual employer contributions for
 24 the 2025-2026 fiscal year, payable monthly, by the State to the North Carolina State Health Plan
 25 for Teachers and State Employees for each covered employee is a maximum of eight thousand
 26 five hundred dollars (\$8,500).

27 **SECTION 41.22.(e)** Effective July 1, 2026, the annual employer contributions for
 28 the 2026-2027 fiscal year, payable monthly, by the State to the North Carolina State Health Plan
 29 for Teachers and State Employees for each covered employee is a maximum of eight thousand
 30 nine hundred five dollars (\$8,905).

31 **SECTION 41.22.(f)** G.S. 135-151(d) reads as rewritten:

32 "(d) Funding of the QEBA. – The QEBA shall be unfunded within the meaning of federal
 33 tax laws. No payee contributions or deferrals, direct or indirect, by election or otherwise shall be
 34 made or allowed. The benefit liability for the QEBA shall be determined each fiscal year, and
 35 assets shall not be accumulated to pay benefits in future fiscal years. All of the following apply
 36 to employer contributions required to pay benefits under the QEBA:

- 37 (1) The Board of Trustees, upon the recommendation of the actuary engaged by
 38 the Board of Trustees, shall determine the employer contributions required to
 39 pay the benefits due under the QEBA for each fiscal year.
- 40 (2) The required contributions shall be paid by all participating employers.
- 41 (3) The required contributions shall be deposited in a separate fund from the fund
 42 into which regular employer contributions are deposited for the Retirement
 43 System. ~~The benefit liability for the QEBA shall be determined each fiscal~~
 44 ~~year, and assets shall not be accumulated to pay benefits in future fiscal years.~~
- 45 (4) A portion of the employer contribution rate established for retirement benefits
 46 as a percentage of covered salaries for teachers, State employees, and State
 47 law enforcement officers may be deposited into the separate fund established
 48 in accordance with subdivision (3) of this subsection. The amount of the
 49 portion allowable under this subdivision shall not exceed one-hundredths
 50 percent (0.01%) in any given fiscal year."

1 **ENHANCE BENEFITS UNDER NORTH CAROLINA FIREFIGHTERS' AND RESCUE**
2 **SQUAD WORKERS' PENSION FUND AND MAKE TECHNICAL CHANGES TO**
3 **THE RELATED STATUTES**

4 **SECTION 41.23.(a)** G.S. 58-86-55 reads as rewritten:

5 **"§ 58-86-55. Monthly pensions upon attaining the age of 55 years.**

6 (a) The monthly pension benefit under this section is one hundred eighty dollars
7 (\$180.00) and is payable per month from the Pension Fund unless otherwise provided.

8 (a1) Any member who has served 20 years as an "eligible firefighter" or "eligible-eligible
9 firefighter or eligible rescue squad worker" worker in the State of North Carolina, as provided in
10 G.S. 58-86-25 and G.S. 58-86-30, this Article, and who has attained the age of 55 years is entitled
11 to be paid a monthly pension from this fund. The monthly pension shall be in the amount of one
12 hundred seventy five dollars (\$175.00) per month. Any retired firefighter receiving a pension
13 shall, effective January 1, 2025, receive a pension of one hundred seventy five dollars (\$175.00)
14 per month.benefit under this section.

15 (b) Members shall pay fifteen dollars (\$15.00) per month as required by G.S. 58-86-35
16 and G.S. 58-86-40 for a period of no longer than 20 years. No "eligible rescue squad member"
17 shall receive a pension prior to July 1, 1983.

18 (c) A member who is totally and permanently disabled while in the discharge of the
19 member's official duties as a result of bodily injuries sustained or as a result of extreme exercise
20 or extreme activity experienced in the course and scope of those official duties and who leaves
21 the fire or rescue squad service because of this disability shall be entitled to be paid from the fund
22 a monthly benefit in an amount of one hundred seventy five dollars (\$175.00) per month a
23 monthly pension benefit under this section beginning the first month after the member's fifty-fifth
24 birthday. All applications for disability are subject to the approval of the board who Board, and
25 the Board may appoint physicians to examine and evaluate the disabled member prior to approval
26 of the application, and annually thereafter. Any G.S. 58-86-41 shall not apply to a disabled
27 member shall not be required to make the monthly payment of fifteen dollars (\$15.00) as required
28 by G.S. 58-86-35 and G.S. 58-86-40.member.

29 (d) A member who is totally and permanently disabled for any eause, cause other than
30 line of duty, those under subsection (c) of this section and who leaves the fire or rescue squad
31 service because of this disability and who has at least 10 years of service with the pension fund,
32 Pension Fund may be permitted to continue making a monthly contribution of fifteen dollars
33 (\$15.00) in the amount required under G.S. 58-86-41 to the fund until the member has made
34 contributions for a total of 240 months. The Upon attaining the age of 55, that member shall upon
35 attaining the age of 55 years be entitled to receive a monthly pension as provided by benefit under
36 this section. All applications for disability are subject to the approval of the board who Board,
37 and the Board may appoint physicians to examine and evaluate the disabled member prior to
38 approval of the application-application, and annually thereafter.

39 (d1) Benefits payable from the Pension Fund shall be paid in the following manner when
40 a member is killed in the line of duty and the requirements of Article 12A of Chapter 143 of the
41 General Statutes are met:

- 42 (1) If the member had been receiving a monthly pension fund-benefit under this
43 section prior to being killed in the line of duty, then there shall be paid to the
44 member's principal beneficiary, if only one principal beneficiary is eligible
45 and has not accepted a return of contributions, an amount of one hundred
46 seventy five dollars (\$175.00) per month the monthly pension benefit amount
47 beginning the month following the member's month of death, payable until
48 the beneficiary's death. If the member became a member prior to July 1, 2018,
49 and had not designated a principal beneficiary prior to being killed in the line
50 of duty, there shall be paid to the member's living spouse upon the spouse's
51 application to the Board, an amount of one hundred seventy five dollars

- 1 ~~(\$175.00) per month~~ the monthly pension benefit amount beginning the month
 2 following the member's month of death, payable until the spouse's death.
- 3 (2) If the member had been receiving a monthly pension ~~fund~~ benefit under this
 4 section prior to being killed in the line of duty and the beneficiary is not
 5 payable as described in subdivision (1) of this subsection, then a lump sum
 6 payment equal to the difference between the amount paid into the member's
 7 separate account by or on behalf of the member and the amount received by
 8 the member as a pensioner ~~will~~ shall be paid to the eligible beneficiaries, or if
 9 there are no eligible beneficiaries, shall be paid to the member's estate.
- 10 (3) If the member had not yet begun receiving a monthly pension benefit under
 11 this section prior to being killed in the line of duty, then there shall be paid to
 12 the member's principal beneficiary, if only one principal beneficiary is eligible
 13 and has not accepted a return of contributions, ~~an amount of one hundred~~
 14 ~~seventy five dollars (\$175.00) per month~~ the monthly pension benefit amount
 15 beginning the month following the month the member would have attained
 16 age 55, or if the member had already attained age 55, beginning the month
 17 following the member's month of death, payable until the beneficiary's death.
 18 If the member became a member prior to July 1, 2018, and had not designated
 19 a principal beneficiary prior to being killed in the line of duty, then there shall
 20 be paid to the member's living spouse upon the spouse's application to the
 21 Board, ~~an amount of one hundred seventy five dollars (\$175.00) per month~~
 22 the monthly pension benefit amount beginning the month following the month
 23 the member would have attained age 55, or if the member had attained age 55,
 24 beginning the month following the member's month of death, payable until
 25 the spouse's death.
- 26 (4) If the member had not yet begun receiving a monthly pension benefit under
 27 this section prior to being killed in the line of duty and the beneficiary is not
 28 payable as described in subdivision (3) of this subsection, then a lump sum
 29 payment equal to the member's contributions will be paid to the eligible
 30 beneficiaries, or if there are no eligible beneficiaries, a return of the
 31 contributions shall be paid to the member's estate.
- 32 ~~A beneficiary under this subsection shall not be required to make the monthly payment of~~
 33 ~~fifteen dollars (\$15.00) as required by G.S. 58-86-35 and G.S. 58-86-40~~ G.S. 58-86-41 shall not
 34 apply after the a member has been killed in the line of duty.
- 35 (e) ~~A member who, because the~~ If a member has at least 10 years of service with the
 36 Pension Fund and that member's (i) residence is annexed by a city under Part 2 or Part 3 of Article
 37 4A of Chapter 160A of the General Statutes, or whose (ii) department is closed because of an
 38 annexation by a city under Part 2 or Part 3 of Article 4A of Chapter 160A of the General Statutes,
 39 or whose (iii) volunteer department is taken over by a city or county, and because of such the
 40 annexation or takeover the member is unable to perform as a firefighter or rescue squad worker
 41 of any status, and if the member has at least 10 years of service with the pension fund, may then
 42 the member shall be permitted to continue making a monthly contribution of fifteen dollars
 43 (\$15.00) in the amount required under G.S. 58-86-41 to the fund until the member has made
 44 contributions for a total of 240 months. The Upon completion of the total 240 months of
 45 contributions, and upon a member upon attaining the age of 55 years and completion of such
 46 contributions age 55, the member shall be entitled to receive a monthly pension as provided by
 47 benefit under this section. Any application to make monthly contributions under this section shall
 48 be subject to a finding of eligibility by the Board of Trustees upon application of the member.
- 49 (f) ~~The pensions benefits provided under this Article shall be in addition to all other~~
 50 ~~pensions or benefits under any other statutes of the State of North Carolina or the United States,~~

1 notwithstanding any exclusionary provisions of other pensions or retirement systems provided
2 by law."

3 **SECTION 41.23.(b)** Article 86 of Chapter 58 of the General Statutes is amended by
4 adding a new section to read:

5 "**§ 58-86-41. Amount due for membership; payments credited to separate member**
6 **accounts.**

7 (a) Unless otherwise provided under this Article, each member of the Pension Fund shall
8 pay the sum of fifteen dollars (\$15.00) per month to the Pension Fund for membership in the
9 fund for a period not to exceed 20 years.

10 (b) Unless otherwise provided under this Article, all payments due in any calendar year
11 shall be made no later than March 31 subsequent to the end of the calendar year in which the
12 payment was due.

13 (c) The Pension Fund shall not award fully credited service based on payments received
14 later than March 31 subsequent to the end of the calendar year in which the month occurred
15 unless the payment is applied as provided in G.S. 58-86-45(a1).

16 (d) Payments made in accordance with this section shall be credited to the separate
17 account of the member and shall be kept by the custodian in a manner that allows the payments
18 to be made available upon a member's withdrawal from membership or retirement."

19 **SECTION 41.23.(c)** G.S. 58-86-35 reads as rewritten:

20 "**§ 58-86-35. Firefighters' application for membership in fund; monthly payments by**
21 **members; payments credited to separate accounts of members; Pension Fund;**
22 **termination of membership.**

23 (a) ~~Those firefighters~~ Firefighters who are eligible for membership in the Pension Fund
24 pursuant to G.S. 58-86-25 may apply to the board ~~Board~~ for membership. ~~Each firefighter upon~~
25 ~~becoming a member of the fund shall pay the director of the fund the sum of fifteen dollars~~
26 ~~(\$15.00) per month; each payment shall be made no later than March 31 subsequent to the end~~
27 ~~of the calendar year in which the month occurred. The Pension Fund shall not award fully~~
28 ~~credited service based on payments received later than March 31 subsequent to the end of the~~
29 ~~ealendar year in which the month occurred unless the payment is applied as provided in~~
30 ~~G.S. 58-86-45(a1). The monthly payments shall be credited to the separate account of the~~
31 ~~member and shall be kept by the custodian so it is available for payment on withdrawal from~~
32 ~~membership or retirement.~~

33 (b) A member may elect to terminate membership in the ~~fund~~ Pension Fund at any time
34 and request the refund of payments previously made to the fund. ~~However, a~~ A member's
35 delinquency in making the monthly payments required by this section ~~Article~~ does not result in
36 the termination of membership without such an election to terminate membership in the Pension
37 Fund made by the member."

38 **SECTION 41.23.(d)** G.S. 58-86-40 reads as rewritten:

39 "**§ 58-86-40. Rescue squad worker's application for membership in funds; monthly**
40 **payments by members; payments credited to separate accounts of members;**
41 **Pension Fund; termination of membership.**

42 (a) ~~Those rescue~~ Rescue squad workers eligible for membership in the Pension Fund
43 pursuant to G.S. 58-86-30 may apply to the board ~~Board~~ for membership. ~~Those rescue squad~~
44 ~~workers eligible pursuant to G.S. 58-86-30 may apply to the board for membership. Each eligible~~
45 ~~rescue squad worker upon becoming a member shall pay the director of the fund the sum of~~
46 ~~fifteen dollars (\$15.00) per month; each payment shall be made no later than March 31~~
47 ~~subsequent to the end of the calendar year in which the month occurred. The Pension Fund shall~~
48 ~~not award fully credited service based on payments received later than March 31 subsequent to~~
49 ~~the end of the calendar year in which the month occurred unless the payment is applied as~~
50 ~~provided in G.S. 58-86-45(a1). The monthly payments shall be credited to the separate account~~

1 of the member and shall be kept by the custodian so it is available for payment on withdrawal
2 from membership or retirement.

3 (b) A member may elect to terminate membership in the ~~fund~~ Pension Fund at any time
4 and request the refund of payments previously made to the fund. ~~However, a~~ A member's
5 delinquency in making the monthly payments required by this ~~section~~ Article does not result in
6 the termination of membership without ~~such an election to~~ terminate membership in the Pension
7 Fund made by the member."

8 SECTION 41.23.(e) G.S. 58-86-45 reads as rewritten:

9 "**§ 58-86-45. Additional retroactive membership.**

10 (a1) Any firefighter or rescue squad worker who is 35 years of age or older and who is a
11 current or former member of a fire department or rescue squad chartered by the State of North
12 Carolina may purchase credit for any periods of service to any chartered fire department or rescue
13 squad not otherwise creditable by making a lump sum payment to the Annuity Savings Fund
14 equal to the full liability of the service credits calculated on the basis of the assumptions used for
15 purposes of the actuarial valuation of the system's liabilities, which payment shall take into
16 account the retirement allowance arising on account of the additional service credit commencing
17 at the earliest age at which the member could retire on a retirement allowance, as determined by
18 the board of trustees upon the advice of the consulting actuary, plus an administrative fee to be
19 set by the board of trustees. This provision for the payment of a lump sum for service "not
20 otherwise creditable" shall apply, inter alia, to all purchases of service credits for months as to
21 which timely payments were not previously made pursuant to G.S. 58-86-35 or G.S. 58-86-40,
22 whichever is applicable in accordance with G.S. 58-86-41.

23 (b) An eligible firefighter or rescue squad worker who is not yet 35 years old may apply
24 to the Board for membership in the ~~fund~~ Pension Fund at any time. Upon becoming a member,
25 the worker may make a lump sum payment of ~~fifteen dollars (\$15.00) per month in the amount~~
26 required under G.S. 58-86-41 at the time of the payment for each month retroactively to the time
27 the worker first became eligible to become a member, plus interest at an annual rate to be set by
28 the ~~board~~ Board upon advice from actuary for each year of retroactive payments. Upon making
29 this lump sum payment, the worker shall be given credit for all prior service in the same manner
30 as if the worker had applied for membership upon first becoming eligible.

31 (c) A member of the Pension Fund who is not yet 35 years old may receive credit for the
32 prior service upon making a lump sum payment of ~~fifteen dollars (\$15.00) in the amount required~~
33 under G.S. 58-86-41 at the time of the payment for each month since the worker first became
34 eligible, plus interest at an annual rate to be set by the Board for each year of retroactive
35 payments. Upon making this lump sum payment, the date of membership shall be the same as if
36 the worker had applied for membership upon first becoming eligible. This provision for the
37 payment of a lump sum for service "not otherwise creditable" shall apply, inter alia, to all
38 purchases of service credits for months as to which timely payments were not previously made
39 pursuant to G.S. 58-86-35 or G.S. 58-86-40, whichever is applicable, for any firefighter or rescue
40 squad worker who is not yet 35 years of age or older and who is a current or former member of
41 a fire department or rescue squad chartered by the State of North Carolina."

42 SECTION 41.23.(f) The Revisor of Statutes shall replace the phrase "G.S. 58-86-35
43 or G.S. 58-86-40" with the phrase "G.S. 58-86-41" in each instance it appears in G.S. 58-86-2.

44 SECTION 41.23.(g) This section applies to pension benefit amounts payable from
45 the Pension Fund due to a member or beneficiary on or after January 1, 2026. If a member or
46 beneficiary becomes eligible to receive a pension benefit from the Pension Fund on or before
47 December 31, 2025, but the pension benefit amount is paid from the Pension Fund on or after
48 January 1, 2026, then the pension benefit amount due to the member or beneficiary shall be the
49 amount applicable to the pension benefit amount that was effective for each respective month to
50 which the benefit applies.

51 SECTION 41.23.(h) This section is effective January 1, 2026.

1
2 **INCREASE BENEFITS PAYABLE UNDER NORTH CAROLINA NATIONAL GUARD**
3 **PENSION FUND**

4 **SECTION 41.24.(a)** G.S. 127A-40 reads as rewritten:

5 "**§ 127A-40. Pensions for the members of the North Carolina National Guard.**

6 (a) Every member and former member of the North Carolina National Guard who meets
7 the requirements of this section shall receive, commencing at age 60, a pension of one hundred
8 ~~five-eight~~ dollars ~~(\$105.00)-(\$108.00)~~ per month for 20 years' creditable military service with an
9 additional ten dollars and ~~fifty cents (\$10.50)-~~eighty cents (\$10.80) per month for each additional
10 year of ~~such~~ creditable military service; provided, however, that the total pension shall not exceed
11 two hundred ~~ten-sixteen~~ dollars ~~(\$210.00)-(\$216.00)~~ per month. ~~The requirements for~~

12 (a1) To receive a pension are that under this section, each member shall:shall meet all of
13 the following requirements:

- 14 (1) ~~Have~~ The individual served and qualified for at least 20 years' creditable
15 military service, including National Guard, reserve and active duty, under the
16 same requirement specified for entitlement to retired pay for nonregular
17 service under Chapter 67, Title 10, United States Code.
- 18 (2) ~~Have at~~ At least 15 years of the aforementioned service required under
19 subdivision (1) of this subsection was as a member of the North Carolina
20 National Guard.
- 21 (3) ~~Have~~ The individual received an honorable discharge from the North Carolina
22 National Guard.

23"

24 **SECTION 41.24.(b)** This section applies to pension benefit amounts payable from
25 the Pension Fund due to a member on or after January 1, 2026. If a member becomes eligible to
26 receive a pension benefit from the Pension Fund on or before December 31, 2025, but the pension
27 benefit amount is paid from the Pension Fund on or after January 1, 2026, then the pension benefit
28 amount due to the member shall be the amount applicable to the pension benefit amount that was
29 effective for each respective month to which the benefit applies.

30 **SECTION 41.24.(c)** This section is effective January 1, 2026.

31
32 **PROVIDE AN ADDITIONAL SPECIAL SEPARATION ALLOWANCE OPTION FOR**
33 **STATE AND LOCAL LAW ENFORCEMENT OFFICERS WITH AT LEAST**
34 **THIRTY YEARS OF CREDITABLE SERVICE**

35 **SECTION 41.25.(a)** G.S. 143-166.41 reads as rewritten:

36 "**§ 143-166.41. Special separation allowance.**allowance options for State law enforcement
37 officers.

38 (a) Annual Special Separation Allowance. – Notwithstanding any other provision of law,
39 every sworn law-enforcement officer ~~as defined by G.S. 135-1(11e) or G.S. 143-166.30(a)(4)~~
40 employed by a State department, agency, or institution who qualifies under this section shall
41 ~~receive,~~ receive an annual special separation allowance beginning in the month in which ~~he~~ the
42 officer retires on a basic service retirement under the provisions of ~~G.S. 135-5(a), an annual~~
43 ~~separation allowance equal to eighty five hundredths percent (0.85%) of the annual equivalent~~
44 ~~of the base rate of compensation most recently applicable to him for each year of creditable~~
45 ~~service.~~ G.S. 135-5(a). The allowance shall be paid in equal installments on the payroll frequency
46 used by the employer. ~~To qualify for the allowance the officer shall:~~

- 47 (1) ~~Have~~ (i) completed 30 or more years of creditable service or, (ii) have attained
48 55 years of age and completed five or more years of creditable service; and
- 49 (2) ~~Not have attained 62 years of age; and~~
- 50 (3) ~~Have completed at least five years of continuous service as a law enforcement~~
51 ~~officer as herein defined immediately preceding a service retirement. Any~~

1 ~~break in the continuous service required by this subsection because of~~
2 ~~disability retirement or disability salary continuation benefits shall not~~
3 ~~adversely affect an officer's qualification to receive the allowance, provided~~
4 ~~the officer returns to service within 45 days after the disability benefits cease~~
5 ~~and is otherwise qualified to receive the allowance.~~employer from which the
6 officer retired.

7 ...

8 (b) As used in this section, "creditable service" means the Definitions. – The following
9 definitions apply in this section:

10 (1) Allowance. – The annual special separation allowance for State law
11 enforcement officers provided for under this section.

12 (2) Creditable service. – The service for which credit is allowed under the
13 retirement system of which the officer is a member, provided that at least fifty
14 percent (50%) of the service is as a law enforcement officer as herein defined
15 or as a probation/parole officer as defined in G.S. 135-1(17a).member.

16 (3) Law enforcement officer. – As defined in either G.S. 135-1 or
17 G.S. 143-166.30(a).

18 (4) Officer. – A law enforcement officer.

19 (5) Probation/parole officer. – As defined in G.S. 135-1.

20 (b1) Eligibility for Allowance and Calculation of Allowance Amount. – To be eligible for
21 an allowance under this section, an officer is required to meet one of the following sets of criteria
22 that shall also determine the allowance amount:

23 (1) For officers meeting all of the following criteria, the annual special separation
24 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
25 annual base rate of compensation most recently applicable to the officer for
26 each year of that officer's creditable service:

27 a. The officer (i) has completed 30 or more years of creditable service or
28 (ii) is 55 years of age or older and completed five or more years of
29 creditable service.

30 b. The officer is less than 62 years of age.

31 c. The officer has completed at least five years of continuous service as
32 a law enforcement officer immediately preceding the officer's service
33 retirement. Any break in this required continuous service that is a
34 result of disability retirement or disability salary continuation benefits
35 shall not adversely affect an officer's qualification to receive an
36 allowance under this subdivision so long as the officer returned to
37 service within 45 days after the disability benefits had ceased and is
38 otherwise qualified to receive the allowance.

39 d. At least fifty percent (50%) of the officer's creditable service is as a
40 law enforcement officer, or for service prior to July 1, 2017, as a
41 probation/parole officer.

42 (2) For officers meeting all of the following criteria, the annual special separation
43 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
44 annual equivalent of the base rate of compensation at the time the officer
45 attained 30 years of service multiplied by 30:

46 a. Prior to attaining 62 years of age, the officer has completed 30 or more
47 years of creditable service, at least fifty percent (50%) of which was
48 as a law enforcement officer, or for service prior to July 1, 2017, as a
49 probation/parole officer.

50 b. The officer has completed at least five years of continuous service as
51 a law enforcement officer immediately preceding the officer's service

1 retirement. Any break in this required continuous service that is a
 2 result of disability retirement or disability salary continuation benefits
 3 shall not adversely affect an officer's qualification to receive an
 4 allowance under this subdivision so long as the officer returned to
 5 service within 45 days after the disability benefits had ceased and is
 6 otherwise qualified to receive the allowance.

7 If an officer meets all of the criteria under each subdivision of this subsection, then the
 8 employer making the allowance payments shall allow the officer to choose which of the two
 9 calculation formulas to use for that officer's allowance. This election by the officer is a one-time,
 10 irrevocable election and shall be made prior to the first allowance payment. If no election is made
 11 by the officer, then the calculation amount under subdivision (2) of this subsection shall be used.

12 (c) Cessation of Payment. – Payment of the allowance to a retired officer under the
 13 provisions of this section shall cease at the first occurrence of one of the following:

14 (1) The death of the officer; officer.

15 (2) The last day of the month in which either of the following applies:

16 a. If the officer is receiving an allowance in an amount determined under
 17 subdivision (b1)(1) of this section, the officer attains 62 years of age;
 18 or age.

19 b. If the officer is receiving an allowance in an amount determined under
 20 subdivision (b1)(2) of this section, there has been a period of receiving
 21 the allowance that is equivalent to the total of 62 years minus the age
 22 at which the officer first completed 30 years of creditable service.

23 (3) The first day of reemployment by any State department, agency, or institution,
 24 except that this subdivision does not apply to an officer returning to State
 25 employment in a position exempt from the North Carolina Human Resources
 26 Act in an agency other than the agency from which that officer retired.

27 (d) Impact of Other Benefits or Actions. – This section does not affect the benefits to
 28 which an individual may be entitled from State, federal, or private retirement systems. The
 29 benefits payable under this section shall not be subject to any increases in salary or retirement
 30 allowances that may be authorized by the General Assembly for employees of the State or retired
 31 employees of the State.

32 (e) Eligibility Determinations. – The head of each State department, agency, or institution
 33 shall determine the eligibility of employees for the benefits provided herein under this section.

34 (f) Transfer of Funds. – The Director of the Budget may authorize from time to time the
 35 transfer of funds within the budgets of each State department, agency, or institution necessary to
 36 carry out the purposes of this Article-section. These funds shall be taken from those funds
 37 appropriated to the department, agency, or institution for salaries and related fringe benefits.

38 (g) Responsibility for Payment. – The head of each State department, agency, or
 39 institution shall make the payments set forth in subsection (a) this section to those persons
 40 certified under subsection (e) of this section from funds available under subsection (f) of this
 41 section."

42 **SECTION 41.25.(b)** G.S. 143-166.42 reads as rewritten:

43 **"§ 143-166.42. Special separation allowances-allowance options for local law enforcement**
 44 **officers.**

45 (a) Annual Special Separation Allowance. – On and after January 1, 1987, every sworn
 46 law enforcement officer as defined by G.S. 128-21(11d) or G.S. 143-166.50(a)(3) employed by
 47 a local government employer who qualifies under this section shall receive, receive an annual
 48 special separation allowance beginning in the month in which the officer retires on a basic service
 49 retirement under the provisions of G.S. 128-27(a), an annual separation allowance equal to
 50 eighty-five hundredths percent (0.85%) of the annual equivalent of the base rate of compensation
 51 most recently applicable to the officer for each year of creditable service. G.S. 128-27(a). The

1 allowance shall be paid in equal installments on the payroll frequency used by the employer. To
2 qualify for the allowance, the officer shall:

- 3 (1) ~~Have (i) completed 30 or more years of creditable service or (ii) have attained~~
4 ~~55 years of age and completed five or more years of creditable service; and~~
- 5 (2) ~~Not have attained 62 years of age; and~~
- 6 (3) ~~Have completed at least five years of continuous service as a law enforcement~~
7 ~~officer as herein defined immediately preceding a service retirement. Any~~
8 ~~break in the continuous service required by this subsection because of~~
9 ~~disability retirement or disability salary continuation benefits shall not~~
10 ~~adversely affect an officer's qualification to receive the allowance, provided~~
11 ~~the officer returns to service within 45 days after the disability benefits cease~~
12 ~~and is otherwise qualified to receive the allowance.employer from which the~~
13 ~~officer retired.~~

14 (b) ~~As used in this section, "creditable service" means the service~~ Definitions. – The
15 ~~following definitions apply in this section:~~

- 16 (1) Allowance. – The annual special separation allowance for local law
17 enforcement officers provided for under this section.
- 18 (2) Creditable service. – The service for which credit is allowed under the
19 retirement system of which the officer is a member, provided that at least fifty
20 percent (50%) of the service is as a law enforcement officer as herein
21 defined:member.
- 22 (3) Law enforcement officer. – As defined in G.S. 128-21 or G.S. 143-166.50(a).
- 23 (4) Officer. – Law enforcement officer.

24 (b1) Qualification for Allowance and Calculation of Allowance. – To be eligible for an
25 allowance under this section, an officer is required to meet one of the following sets of criteria,
26 which shall also determine the allowance amount:

- 27 (1) For officers meeting all of the following criteria, the annual special separation
28 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
29 annual base rate of compensation most recently applicable to the officer for
30 each year of that officer's creditable service:
 - 31 a. The officer (i) has completed 30 or more years of creditable service or
32 (ii) is 55 years of age or older and completed five or more years of
33 creditable service.
 - 34 b. The officer is less than 62 years of age.
 - 35 c. The officer has completed at least five years of continuous service as
36 a law enforcement officer immediately preceding the officer's service
37 retirement. Any break in this required continuous service that is a
38 result of disability retirement or disability salary continuation benefits
39 shall not adversely affect an officer's qualification to receive an
40 allowance under this subdivision so long as the officer returned to
41 service within 45 days after the disability benefits had ceased and is
42 otherwise qualified to receive the allowance.
 - 43 d. At least fifty percent (50%) of the officer's creditable service is as a
44 law enforcement officer.
- 45 (2) For officers meeting all of the following criteria, the annual special separation
46 allowance to be paid is equal to eighty-five hundredths percent (0.85%) of the
47 annual equivalent of the base rate of compensation at the time the officer
48 attained 30 years of service multiplied by 30:
 - 49 a. Prior to attaining 62 years of age, the officer has completed 30 or more
50 years of creditable service, at least fifty percent (50%) of which was
51 as a law enforcement officer.

1 b. The officer has completed at least five years of continuous service as
2 a law enforcement officer immediately preceding the officer's service
3 retirement. Any break in this required continuous service that is a
4 result of disability retirement or disability salary continuation benefits
5 shall not adversely affect an officer's qualification to receive an
6 allowance under this subdivision so long as the officer returned to
7 service within 45 days after the disability benefits had ceased and is
8 otherwise qualified to receive the allowance.

9 If an officer meets all of the criteria under each subdivision of this subsection, then the
10 employer making the allowance payments shall allow the officer to choose which of the two
11 calculation formulas to use for that officer's allowance. This election by the officer is a one-time,
12 irrevocable election and shall be made prior to the first allowance payment. If no election is made
13 by the officer, then the calculation amount under subdivision (2) of this subsection shall be used.

14 (c) Cessation of Payment. – Payment of the allowance to a retired officer under the
15 provisions of this section shall cease at the first occurrence of one of the following:

16 (1) The death of the officer.

17 (2) The last day of the month in which either of the following applies:

18 a. If the officer is receiving an allowance in an amount determined under
19 subdivision (b1)(1) of this section, the officer attains 62 years of age;
20 or
21 b. If the officer is receiving an allowance in an amount determined under

22 subdivision (b1)(2) of this section, there has been a period of receiving
23 the allowance that is equivalent to the total of 62 years minus the age
24 at which the officer first completed 30 years of creditable service.

25 (3) The first day of reemployment by a local government employer in any
26 capacity.

27 (c1) Exceptions to the Cessation of Payments. – Notwithstanding the provisions of
28 subdivision (3) of subsection (c) of this section, payments to a retired officer shall not cease when
29 a local government employer employs a retired officer for any of the following:
30 in any of the following manners:

31 (1) In a public safety position in a capacity not requiring participation in the Local
32 Governmental Employees' Retirement System.

33 (2) In service to a county board of elections on an election day or during the hours
34 for early voting under Part 5 of Article 14A of Chapter 163 of the General
35 Statutes in a capacity that complies with G.S. 128-21(19) and does not result
36 in cessation or suspension of the retiree's benefit from the Local Government
37 Employees' Retirement System.

38 (d) Impact of Other Benefits or Actions. – This section does not affect the benefits to
39 which an individual may be entitled from State, local, federal, or private retirement systems. The
40 benefits payable under this section shall not be subject to any increases in salary or retirement
41 allowances that may be authorized by local government employers or for retired employees of
42 local governments.

43 (e) Eligibility Determinations. – The governing body of each local employer shall
44 determine the eligibility of employees for the benefits provided herein under this section.

45 (f) Responsibility for Payment. – The governing body of each local employer shall make
46 the payments set forth in subsection (a) of this section to those persons certified under subsection
47 (e) of this section from funds available."

48 **SECTION 41.25.**(c) This section becomes effective July 1, 2025, and applies to law
49 enforcement officers retiring on or after that date.

INCREASE THE AMOUNT AWARDED FOR LINE OF DUTY DEATHS UNDER THE PUBLIC SAFETY EMPLOYEES' DEATH BENEFITS ACT

SECTION 41.26.(a) G.S. 143-166.3 reads as rewritten:

"§ 143-166.3. Payments; determination.

(a) When any covered person is killed in the line of duty, the Industrial Commission shall award a death benefit in the amount of ~~one hundred thousand dollars (\$100,000)~~ one hundred fifty thousand dollars (\$150,000) to be paid to one of the following:

- (1) The spouse of the covered person if there is a surviving spouse.
- (2) If there is no surviving spouse, then payments shall be made to any surviving dependent child of the covered person. If there is more than one surviving dependent child, then the payment shall be made to and equally divided among all surviving dependent children.
- (3) If there is no surviving spouse and no surviving dependent child or children, then payments shall be made to any surviving dependent parent of the covered person. If there is more than one surviving dependent parent, then the payments shall be made to and equally divided between the surviving dependent parents of the covered person.
- (4) If there is no surviving spouse, surviving dependent child, or surviving dependent parent, then the payment shall be made to the estate of the deceased covered person.

...

(e) ~~On and after July 1, 2016, when~~ When any covered person is murdered in the line of duty, in addition to the award under subsection (a) of this section, the Industrial Commission shall award a death benefit in the amount of ~~one hundred thousand dollars (\$100,000)~~ one hundred fifty thousand dollars (\$150,000) to be paid to one of the following:

- (1) The spouse of the covered person if there is a surviving spouse.
- (2) If there is no surviving spouse, then payments shall be made to any surviving dependent child of the covered person. If there is more than one surviving dependent child, then the payment shall be made to and equally divided among all surviving dependent children.
- (3) If there is no surviving spouse and no surviving dependent child or children, then payments shall be made to any surviving dependent parent of the covered person. If there is more than one surviving dependent parent, then the payments shall be made to and equally divided between the surviving dependent parents of the covered person.
- (4) If there is no surviving spouse, surviving dependent child, or surviving dependent parent, then the payment shall be made to the estate of the deceased covered person.

...."

SECTION 41.26.(b) This section is effective July 1, 2025, and applies to deaths that occur on or after that date.

PART XLII. CAPITAL

CAPITAL IMPROVEMENT & REPAIRS AND RENOVATIONS APPROPRIATIONS

SECTION 42.1.(a) The following agency capital improvement projects have been assigned a project code for reference to allocations in this Part, past allocations, and for intended project support by the General Assembly for future fiscal years:

| Agency Capital Improvement Project | Project Code |
|---|---------------------|
| Department of Agriculture and Consumer Services | |
| Raleigh State Farmers Market–Improvements | DACs23-3 |

| | | |
|----|---|-------------|
| 1 | Research Stations–New Maintenance Shop Facilities | DACS23-8 |
| 2 | Research Stations–Multipurpose Facilities | DACS23-10 |
| 3 | NCFS–New County Offices, Region 3 | DACS23-11 |
| 4 | | |
| 5 | Department of Natural and Cultural Resources | |
| 6 | Fort Fisher Aquarium–Aquarium Expansion | DNCR21-5 |
| 7 | | |
| 8 | Department of Administration | |
| 9 | State Government Executive Headquarters | DOA22-1 |
| 10 | Department of Instruction Building Renovation | DOA22-3 |
| 11 | Service Campus | DOA23-1 |
| 12 | Archdale Building Demolition | DOA23-3 |
| 13 | Caswell Square Demolition | DOA23-4 |
| 14 | Parking Deck–Wilmington Street | DOA23-5 |
| 15 | | |
| 16 | Department of Public Safety | |
| 17 | State Highway Patrol– | |
| 18 | Auditorium | DPS23-3 |
| 19 | Training Academy Facilities Enhancement–Phases 3-6 | DPS23-4 |
| 20 | Cadet Dormitory 1 | DPS23-7 |
| 21 | National Guard– | |
| 22 | NCNG Matching Fund | NG23-1 |
| 23 | Special Forces Complex | NG23-5 |
| 24 | | |
| 25 | The University of North Carolina | |
| 26 | Appalachian State University– | |
| 27 | Peacock Hall/Business | UNC/ASU21-1 |
| 28 | Innovation Campus | UNC/ASU21-2 |
| 29 | Hickory Campus | UNC/ASU22-1 |
| 30 | Walker Hall–Interior Renovation | UNC/ASU23-1 |
| 31 | University of North Carolina at Charlotte– | |
| 32 | Smith Hall–Comprehensive Renovation | UNC/CLT23-1 |
| 33 | Colvard Hall–Comprehensive Renovation | UNC/CLT23-2 |
| 34 | University of North Carolina at Chapel Hill– | |
| 35 | Gardner Hall–Comprehensive Renovation | UNC/CH23-1 |
| 36 | Elizabeth City State University– | |
| 37 | Sky Bridge | UNC/ECS21-2 |
| 38 | Flight School | UNC/ECS21-4 |
| 39 | Infrastructure Repairs–Phase 3 | UNC/ECS23-1 |
| 40 | Jenkins Hall/Dixon Hall–Labs/Classroom/Bldg. Renovation | UNC/ECS23-2 |
| 41 | East Carolina University– | |
| 42 | Brody School of Medicine | UNC/ECU21-1 |
| 43 | Howell Science Building North–Comprehensive Renovation | UNC/ECU23-1 |
| 44 | Leo Jenkins Building/Health Sciences–Comprehensive Renovation | UNC/ECU23-2 |
| 45 | Fayetteville State University– | |
| 46 | Butler Targeted Renovation | UNC/FSU23-1 |
| 47 | North Carolina Agricultural & Technical State University– | |
| 48 | Marteena Hall–Renovation, Phase 2 | UNC/A&T23-1 |
| 49 | Health and Human Sciences Bldg. | UNC/A&T23-2 |
| 50 | North Carolina Central University– | |
| 51 | Edmonds Classroom Building–Comprehensive Renovation | UNC/NCC23-2 |

| | | |
|----|--|-------------|
| 1 | University Theater Renovation | UNC/NCC23-3 |
| 2 | North Carolina State University– | |
| 3 | Mann Hall–Renovation, Phase 2 | UNC/NCS23-1 |
| 4 | Dabney Hall–Renovation, Phase 2 | UNC/NCS23-2 |
| 5 | Polk Hall–Renovation, Phase 2 | UNC/NCS23-3 |
| 6 | Engineering Classroom Building | UNC/NCS23-5 |
| 7 | Poe Hall | UNC/NCS24-1 |
| 8 | North Carolina School of Science and Math– | |
| 9 | Durham Campus | |
| 10 | Renovation of Residence Halls | UNC/SSM23-2 |
| 11 | University of North Carolina at Greensboro– | |
| 12 | Moore Building–Renovation | UNC/GBO23-1 |
| 13 | University of North Carolina at Pembroke– | |
| 14 | Health Sciences Center | UNC/PEM21-1 |
| 15 | Givens Performing Arts Center–Renovation | UNC/PEM23-1 |
| 16 | University of North Carolina School of the Arts– | |
| 17 | New High School Residence Hall | UNC/SA23-2 |
| 18 | University of North Carolina at Wilmington– | |
| 19 | Cameron Hall–Comprehensive Renovation/Expansion | UNC/WIL23-1 |
| 20 | Kenan Auditorium–Comprehensive Renovation/Expansion | UNC/WIL23-2 |
| 21 | DeLoach Hall–Modernization | UNC/WIL23-3 |
| 22 | I.S.A.T. Building | UNC/WIL24-1 |
| 23 | Western Carolina University– | |
| 24 | Replacement Engineering Building | UNC/WCU23-1 |
| 25 | Winston-Salem State University– | |
| 26 | K.R. Williams Auditorium | UNC/WSS21-1 |
| 27 | Eller Hall–Renovation & Elevator Addition | UNC/WSS23-1 |
| 28 | Pegram Hall–Renovation & Elevator Addition | UNC/WSS23-2 |
| 29 | PBS North Carolina | UNC/PBS23-1 |
| 30 | | |
| 31 | Repairs and Renovations–The University of North Carolina | UNC/R&R21 |
| 32 | Repairs and Renovations–State Agencies (non-UNC) | R&R21 |
| 33 | SCIF-Related Personnel | PERS21 |

34 **SECTION 42.1.(b)** This subsection authorizes the following capital projects in the
 35 2025-2027 fiscal biennium based upon projected cash flow needs for the authorized projects. The
 36 authorizations provided in this subsection represent the maximum amount of funding from the
 37 State Capital and Infrastructure Fund that may be expended on each project and do not reflect
 38 authorizations from other non-State Capital and Infrastructure Fund sources. An additional action
 39 by the General Assembly is required to increase the maximum authorization for any of the
 40 projects listed:

41 **Capital Improvements–**

| 42 State Capital and | Previous | New/Updated |
|-------------------------------|------------------------------|------------------------------|
| 43 Infrastructure Fund | Project Authorization | Project Authorization |
| 44 DNCR21-5 | \$45,000,000 | \$65,000,000 |
| 45 DPS23-3 | 35,000,000 | 53,466,000 |
| 46 DPS23-7 | 43,336,785 | 72,572,000 |
| 47 UNC/ASU21-1 | 40,000,000 | 45,000,000 |
| 48 UNC/ASU21-2 | 54,000,000 | 74,000,000 |
| 49 UNC/ECS21-2 | 2,500,000 | 7,500,000 |
| 50 UNC/ECU21-1 | 265,000,000 | 275,000,000 |
| 51 UNC/NCC23-2 | 12,999,424 | 19,499.424 |

| | | | |
|---|-------------|------------|-------------|
| 1 | UNC/NCC23-3 | 8,500,000 | 22,000,000 |
| 2 | UNC/NCS23-1 | 30,000,000 | 40,000,000 |
| 3 | UNC/NCS24-1 | 5,000,000 | 185,000,000 |
| 4 | UNC/SSM23-2 | 28,988,042 | 43,988,042 |
| 5 | UNC/PEM23-1 | 61,000,000 | 131,004,985 |
| 6 | UNC/WIL24-1 | 8,000,000 | 83,000,000 |
| 7 | UNC/WCU23-1 | 95,300,000 | 157,900,000 |

8 **SECTION 42.1.(c)** The Board of Governors of The University of North Carolina
 9 shall prioritize funds allocated for project code UNC/R&R21 for repairs and renovations
 10 pursuant to G.S. 143C-8-13 and, notwithstanding G.S. 143C-8-13(a), for projects listed in
 11 Section 40.1(d) of S.L. 2021-180; provided, however, the sum of one hundred million dollars
 12 (\$100,000,000) for the 2025-2026 fiscal year shall be used exclusively for repairs and
 13 renovations projects at North Carolina Central University. The Board of Governors shall not
 14 negatively weight repairs and renovations project funding allocations against North Carolina
 15 Central University with respect to the additional funding described in this subsection, and the
 16 funds described in this subsection are in addition to and shall not supplant any funds currently
 17 earmarked or projected to be allocated to North Carolina Central University for repairs and
 18 renovations during the 2025-2027 fiscal biennium. The cost for any single repair and renovation
 19 project other than (i) those specifically listed in Section 40.1(d) of S.L. 2021-180 and (ii) the
 20 additional funding to North Carolina Central University described in this subsection shall not
 21 exceed fifteen million dollars (\$15,000,000). The Board of Governors may reallocate funds in
 22 accordance with G.S. 143C-8-13(b) or to projects listed in Section 40.1(d) of S.L. 2021-180;
 23 provided, however, reallocation of funds intended for a project located at a particular constituent
 24 institution may only be reallocated for repairs and renovations projects at that particular
 25 constituent institution. The provisions of G.S. 143C-8-13(b)(4) shall not apply to the projects
 26 listed in Section 40.1(d) of S.L. 2021-180. The Board of Governors shall report to the Joint
 27 Legislative Commission on Governmental Operations in accordance with G.S. 143C-8-13(b).

28 **SECTION 42.1.(d)** For project code R&R21, the provisions of Section 40.1(c) of
 29 S.L. 2021-180 shall apply to funds allocated for the project code during the 2025-2027 fiscal
 30 biennium.

31 **SECTION 42.1.(e)** Of the funds allocated for project code R&R21 for the 2025-2026
 32 fiscal year, the sum of eleven million three hundred thousand dollars (\$11,300,000) shall be
 33 allocated to the Legislative Services Office to be used for renovations and upgrades to the
 34 downtown education complex chilled water system.
 35

36 **SIX-YEAR INTENDED PROJECT ALLOCATION SCHEDULE**

37 **SECTION 42.2.** It is the intent of the General Assembly to fund capital improvement
 38 projects on a cash flow basis and to plan for future project funding based upon projected
 39 availability in the State Capital and Infrastructure Fund. Nothing in this section shall be construed
 40 (i) to appropriate funds or (ii) as an obligation by the General Assembly to appropriate funds for
 41 the projects listed in future years. The following schedule lists capital improvement projects that
 42 will begin or be completed in fiscal years outside of the 2025-2027 fiscal biennium and estimated
 43 amounts (in thousands) needed for completion of those projects:
 44

| 45 | Project Code | FY25-26 | FY26-27 | FY27-28 | FY28-29 | FY29-30 | FY30-31 |
|----|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 46 | | | | | | | |
| 47 | PERS21 | 3,154.9 | 3,154.9 | 3,154.9 | 3,154.9 | 3,154.9 | 3,154.9 |
| 48 | UNC/R&R21 | 400,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| 49 | R&R21 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| 50 | DACS23-3 | 2,000 | 4,000 | 4,000 | N/A | N/A | N/A |
| 51 | DACS23-10 | 2,000 | 2,000 | 2,200 | N/A | N/A | N/A |

| | | | | | | | |
|----|-------------|----------|----------|----------|---------|--------|--------|
| 1 | DACS23-11 | N/A | 1,500 | 1,500 | N/A | N/A | N/A |
| 2 | DOA22-1 | N/A | N/A | 8,800 | 22,000 | 35,200 | 22,000 |
| 3 | DOA22-3 | N/A | N/A | 21,000 | N/A | 24,000 | N/A |
| 4 | DOA23-1 | N/A | N/A | 1,000 | 20,244 | 12,500 | N/A |
| 5 | DOA23-3 | N/A | N/A | N/A | 11,000 | N/A | N/A |
| 6 | DOA23-4 | N/A | N/A | 15,000 | N/A | N/A | N/A |
| 7 | DOA23-5 | N/A | N/A | 40,000 | N/A | N/A | N/A |
| 8 | DPS23-3 | 14,791.5 | 25,774.5 | 8,500 | N/A | N/A | N/A |
| 9 | DPS23-4 | N/A | N/A | N/A | 19,000 | 48,500 | 77,600 |
| 10 | DPS23-7 | 14,472.4 | 42,931.7 | 8,834.2 | N/A | N/A | N/A |
| 11 | NG23-5 | 800 | 4,000 | 3,200 | N/A | N/A | N/A |
| 12 | UNC/ASU21-2 | N/A | N/A | 12,000 | 8,000 | N/A | N/A |
| 13 | UNC/ASU22-1 | 12,300 | 14,350 | 10,250 | N/A | N/A | N/A |
| 14 | UNC/ASU23-1 | N/A | 9,900 | 6,300 | N/A | N/A | N/A |
| 15 | UNC/CLT23-1 | N/A | 12,600 | 19,800 | N/A | N/A | N/A |
| 16 | UNC/CLT23-2 | N/A | N/A | 4,500 | N/A | 15,000 | 25,500 |
| 17 | UNC/CH23-1 | N/A | N/A | 2,500 | 10,000 | N/A | 10,000 |
| 18 | UNC/ECU23-1 | 8,237.5 | 20,162.5 | 12,300 | N/A | N/A | N/A |
| 19 | UNC/ECU23-2 | N/A | N/A | 1,890 | N/A | 10,000 | 7,010 |
| 20 | UNC/PEM21-1 | 30,500 | 24,400 | 4,250 | N/A | N/A | N/A |
| 21 | UNC/PEM23-1 | N/A | N/A | 32,150 | 22,750 | 30,000 | 40,005 |
| 22 | UNC/ECS23-2 | N/A | N/A | 1,250 | N/A | 11,250 | N/A |
| 23 | UNC/FSU23-1 | N/A | N/A | 2,075 | N/A | 12,000 | 6,675 |
| 24 | UNC/A&T23-1 | N/A | N/A | N/A | N/A | 5,335 | N/A |
| 25 | UNC/A&T23-2 | 5,335 | N/A | 2,000 | 18,912 | 29,455 | 69,798 |
| 26 | UNC/NCC23-2 | N/A | 4,549.8 | 7,149.7 | 6,500 | N/A | N/A |
| 27 | UNC/NCC23-3 | N/A | 2,975 | 4,675 | N/A | 5,500 | 8,000 |
| 28 | UNC/NCS23-1 | 27,000 | N/A | N/A | N/A | 2,000 | 8,000 |
| 29 | UNC/NCS23-2 | 24,000 | 28,000 | 20,000 | N/A | N/A | N/A |
| 30 | UNC/NCS23-3 | 18,900 | 22,050 | 15,750 | N/A | N/A | N/A |
| 31 | UNC/NCS23-5 | N/A | N/A | 40,000 | 67,000 | 80,000 | 13,000 |
| 32 | UNC/NCS24-1 | 25,049 | 74,957.9 | 79,993.4 | N/A | N/A | N/A |
| 33 | UNC/SSM23-2 | 3,000 | 4,800 | 6,500 | 7,938 | 9,000 | N/A |
| 34 | UNC/GBO23-1 | N/A | 8,470 | 13,310 | N/A | N/A | N/A |
| 35 | UNC/SA23-2 | N/A | N/A | 2,450 | 8,575 | N/A | 13,475 |
| 36 | UNC/WIL23-1 | 2,000 | 5,725 | 17,770 | 10,550 | N/A | N/A |
| 37 | UNC/WIL23-2 | 1,200 | 4,000 | N/A | 8,840 | 5,400 | N/A |
| 38 | UNC/WIL23-3 | N/A | N/A | 3,000 | 4,860 | N/A | N/A |
| 39 | UNC/WIL24-1 | N/A | N/A | 29,644 | 23,723 | 21,633 | N/A |
| 40 | UNC/WCU23-1 | N/A | 9,530 | 39,955 | 87,415 | 19,000 | N/A |
| 41 | UNC/WSS23-1 | N/A | N/A | N/A | N/A | 1,080 | 5,140 |
| 42 | UNC/WSS23-2 | N/A | N/A | N/A | N/A | 1,600 | 8,000 |
| 43 | UNC/PBS23-1 | 10,000 | 7,325 | 18,412.5 | 8,812.5 | N/A | N/A |

NON-GENERAL FUND/NON-SCIF CAPITAL PROJECT AUTHORIZATIONS

SECTION 42.3.(a) The General Assembly authorizes the following capital projects to be funded with receipts or from other non-General Fund and non-State Capital and Infrastructure Fund sources available to the appropriate department:

| Name of Project | Amount of Non-General Fund/Non-SCIF Funding Authorized | |
|-----------------|--|--------------|
| | FY 2025-2026 | FY 2026-2027 |
| | | |

| | | | |
|----|---|---------------------|---------------------|
| 1 | Department of Natural and Cultural Resources | | |
| 2 | Jennette's Pier Aquarium– | | |
| 3 | Solar Covered Walkway | \$450,000 | \$0 |
| 4 | Roanoke Island Aquarium– | | |
| 5 | Invertebrate Tank | 500,000 | 0 |
| 6 | Pine Knoll Shores Aquarium– | | |
| 7 | Invertebrate Tank | 2,000,000 | 0 |
| 8 | NC Zoo– | | |
| 9 | Elephant Shelters & Barn Bollard Repair | 2,500,000 | 2,500,000 |
| 10 | State Historic Sites– | | |
| 11 | House in the Horseshoe– | | |
| 12 | Alston House Rehabilitation | 445,000 | 445,000 |
| 13 | Department of Agriculture and Consumer Services | | |
| 14 | State Fairgrounds Infrastructure Improvements | 0 | 5,000,000 |
| 15 | NC Forest Service Nursery Greenhouse | 0 | 350,000 |
| 16 | Department of Public Safety | | |
| 17 | Alcoholic Beverage Control– | | |
| 18 | ABC Warehouse Repairs | 1,150,000 | 0 |
| 19 | Wildlife Resources Commission | | |
| 20 | Sykes Depot Greenhouse | 331,600 | 0 |
| 21 | D7 Storage Building | 400,000 | 0 |
| 22 | Caswell Shooting Range Renovation | 3,850,000 | 0 |
| 23 | Coastal Restoration and Resiliency | 6,500,000 | 0 |
| 24 | Ransom Road Depot | 9,000,000 | 0 |
| 25 | Land Acquisition | 5,000,000 | 5,000,000 |
| 26 | WRC Game Land Improvements | 0 | 2,000,000 |
| 27 | McKinney Lake Hatchery Building Replacement | 1,300,000 | 0 |
| 28 | Table Rock Hatchery Residence | 0 | 640,000 |
| 29 | WRC New Shooting Range | 0 | 2,000,000 |
| 30 | New Tillery Office Depot | 0 | 1,500,000 |
| 31 | Agency Infrastructure Repairs & Renovations | 1,500,000 | 1,500,000 |
| 32 | Boating Access Repairs & Renovations | 800,000 | 800,000 |
| 33 | Caswell Depot Expansion | 100,000 | 0 |
| 34 | | | |
| 35 | TOTAL AMOUNT OF NON-GENERAL | | |
| 36 | FUND/NON-SCIF CAPITAL PROJECTS | | |
| 37 | AUTHORIZED | \$35,826,000 | \$21,375,000 |
| 38 | | | |

39 **SECTION 42.3.(b)** From funds deposited with the State Treasurer in a capital
40 improvement account to the credit of the Department of Agriculture and Consumer Services
41 pursuant to G.S. 146-30, the sum of seventy-five thousand dollars (\$75,000) for the 2025-2026
42 fiscal year and the sum of seventy-five thousand dollars (\$75,000) for the 2026-2027 fiscal year
43 shall be transferred to the Department of Agriculture and Consumer Services to be used,
44 notwithstanding G.S. 146-30, by the Department for its plant conservation program under Article
45 19B of Chapter 106 of the General Statutes for costs incidental to the acquisition of land, such as
46 land appraisals, land surveys, title searches, and environmental studies, and for the management
47 of the plant conservation program preserves owned by the Department.

48 **SECTION 42.3.(c)** G.S. 120-76.1 reads as rewritten:

49 **"§ 120-76.1. Prior consultation with the Commission; reporting requirements.**

50 (a) The Governor shall consult the Commission before doing any of the following:

- 1 (1) Authorizing expenditures in excess of the total requirements of a purpose or
 2 program as enacted by the General Assembly and as provided by
 3 G.S. 143C-6-4.
 4 (2) Proceeding to reduce programs subsequent to a reduction of ten percent (10%)
 5 or more in the federal fund level certified to a department and any subsequent
 6 changes in distribution formulas.
 7 (3) Taking measures under Article III, Section 5(3) of the North Carolina
 8 Constitution to effect necessary economies in State expenditures required for
 9 balancing the budget due to a revenue shortfall, including, but not limited to,
 10 (i) making loans among funds, (ii) personnel freezes or layoffs, (iii) capital
 11 project reversions, (iv) program eliminations, and (v) use of reserves.
 12 However, if the Commission fails to meet within 10 calendar days of a request
 13 from the Governor for its consultation, the Governor may proceed to take the
 14 actions the Governor deems appropriate and necessary and shall then report
 15 those actions at the next meeting of the Commission.
 16 (4) ~~Approving a new capital improvement project funded from gifts, grants,
 17 receipts, special funds, self liquidating indebtedness, and other funds or any
 18 combination of funds for the project not specifically authorized by the General
 19 Assembly. The budget for each capital project must include projected
 20 revenues in an amount not less than projected expenditures.~~
 21"

22
 23 **VARIOUS CAPITAL CHANGES**

24 **SECTION 42.4.(a)** G.S. 143C-1-1(d) reads as rewritten:

25 "(d) Definitions. – The following definitions apply in this Chapter:

- 26 ...
 27 (5) Capital improvement. – A term that includes real property acquisition, new
 28 construction or rehabilitation of existing facilities, and repairs and renovations
 29 over one hundred fifty thousand dollars ~~(\$100,000)~~ (\$150,000) in value.
 30"

31 **SECTION 42.4.(b)** G.S. 143C-8-7 reads as rewritten:

32 **"§ 143C-8-7. When a State agency may begin a capital improvement project.**

33 (a) No State agency may expend funds for the construction or renovation of any capital
 34 improvement project except as needed to comply with this Article or as otherwise authorized by
 35 (i) an act of the General Assembly or (ii) subsection (b) of this section. Funds that become
 36 available by gifts, federal or private grants, receipts becoming a part of special funds by act of
 37 the General Assembly, or any other funds available to a State agency or institution may be
 38 utilized for advanced planning through the working drawing phase of capital improvement
 39 projects, upon approval of the Director of the Budget.

40 (b) Notwithstanding any other provision of law to the contrary, the following agencies
 41 are authorized to utilize the types of funds described in subsection (a) of this section for capital
 42 improvement projects with a total project cost less than one hundred fifty thousand dollars
 43 (\$150,000) as follows:

- 44 (1) The Department of Agriculture and Consumer Services, for equipment
 45 structures that meet the description contained in G.S. 143-138(b4)(1)c. on an
 46 as-needed basis.
 47 (2) The Wildlife Resources Commission, for equipment storage or maintenance
 48 buildings.

49 (c) Notwithstanding any other provision of law to the contrary, the following agencies
 50 are authorized to utilize non-General Fund and non-State Capital and Infrastructure Fund monies

1 for a capital improvement project with an estimated cost not exceeding seven hundred fifty
2 thousand dollars (\$750,000):

3 (1) The Department of Agriculture and Consumer Services, upon approval by the
4 Board of Agriculture.

5 (2) The Wildlife Resources Commission."

6 **SECTION 42.4.(c)** G.S. 120-32 reads as rewritten:

7 "**§ 120-32. Commission duties.**

8 The Legislative Services Commission is authorized to:

9 ...

10 (11) Specify, at its sole discretion, the operating and capital uses within the General
11 Assembly budget of funds appropriated to the General Assembly, including
12 which funds remain available for expenditure after the end of the biennial
13 fiscal period and which funds revert under G.S. 143C-1-2.

14 (11a) Contract for a capital improvement project with an estimated cost not
15 exceeding seven hundred fifty thousand dollars (\$750,000); provided that the
16 project is not funded with General Fund or State Capital and Infrastructure
17 Fund monies.

18"

19 **SECTION 42.4.(d)** Section 7(b) of S.L. 2019-230, as amended by Section 40.3(b)
20 of S.L. 2022-74, reads as rewritten:

21 "**SECTION 7.(b)** There is appropriated from the State Capital and Infrastructure Fund to
22 the Growing Rural Economies with Access to Technology Fund the sum of twenty million dollars
23 (\$20,000,000) for each fiscal year from the 2019-2020 fiscal year through the ~~2028-2029~~
24 2024-2025 fiscal year. Funds appropriated pursuant to this subsection that are remaining in the
25 Growing Rural Economies with Access to Technology Fund that are unencumbered and
26 unexpended are no longer appropriated."

27 **SECTION 42.4.(e)** Section 40.1(i) of S.L. 2023-134 is repealed.

29 NATIONAL GUARD PROJECTS

30 **SECTION 42.5.(a)** From the funds allocated in this Part for Project Code NG23-1,
31 the Office of State Budget and Management may disburse to the Department of Public Safety
32 funds needed to provide a State match for federal funds for projects included in the latest Armory
33 and Facilities Development Plan developed pursuant to G.S. 127A-210 and designated by the
34 Adjutant General of the North Carolina National Guard in an amount not exceeding six million
35 dollars (\$6,000,000) during the 2025-2026 fiscal year.

36 **SECTION 42.5.(b)** No later than June 1, 2027, and every two years thereafter until
37 project completion, the Department shall report on the use of these funds to the Joint Legislative
38 Commission on Governmental Operations, the Fiscal Research Division, and the Office of State
39 Budget and Management. Each report shall include all of the following:

40 (1) The status of all projects undertaken pursuant to this section.

41 (2) The estimated total cost of each project.

42 (3) The date that work on each project began or is expected to begin.

43 (4) The date that work on each project was completed or is expected to be
44 completed.

45 (5) The actual cost of each project, including federal matching funds.

46 (6) Facilities planned for closure or reversion.

47 (7) A list of projects advanced in schedule, those projects delayed in schedule,
48 and an estimate of the amount of funds expected to revert to the General Fund.

50 GRANTS TO NON-STATE ENTITIES

1 **SECTION 42.6.** Requirements. – For purposes of this Part, nonrecurring funds
2 allocated from the State Capital and Infrastructure Fund as grants to non-State entities, as defined
3 by G.S. 143C-1-1(d), are subject to all of the following requirements:

- 4 (1) As soon as practicable after the effective date of this act, each State agency
5 administering grants shall begin disbursement of funds to each grantee
6 non-State entity when all applicable requirements are met. However,
7 disbursement of grant funds allocated for the 2025-2026 fiscal year shall
8 commence no later than 100 days after the date this act becomes law, and
9 disbursement in full to all grantees shall be completed no later than nine
10 months after the date this act becomes law.
- 11 (2) G.S. 143C-6-23(b) through (f) and (f2) through (k) apply to the grants.
- 12 (3) Notwithstanding any provision of G.S. 143C-1-2(b) to the contrary, unless
13 otherwise indicated, nonrecurring funds appropriated in this Part as grants
14 shall not revert until expended or the particular project has been completed.
- 15 (4) Grants to each grantee non-State entity shall be used for nonsectarian,
16 nonreligious purposes only.
- 17 (5) By January 1, 2026, and then quarterly thereafter, the Office of State Budget
18 and Management shall report to the Fiscal Research Division on the schedule
19 for and status of grant disbursement. At a minimum, the report shall include
20 the following for each grant:
- 21 a. The date when the disbursing agency issued the initial contract.
- 22 b. The date when the contract was sent to the grantee non-State entity.
- 23 c. The date when the fully executed contract was returned to the
24 disbursing agency.
- 25 d. The date when the contract was executed.
- 26 e. The date when a grant was disbursed in full.
- 27

28 **DOWNTOWN GOVERNMENT COMPLEX**

29 **SECTION 42.7.(a)** The Department of Administration shall sell the property situated
30 on the parcel of land in the City of Raleigh, with Wake County real estate ID# 0179265,
31 commonly known as 304 N. Dawson Street, for fair market value. No service charge into the
32 State Land Fund shall be deducted from or levied against the proceeds of the sale of the property
33 listed in this subsection. Notwithstanding G.S. 146-30, the proceeds of the sale of the property
34 listed in this subsection shall be handled in accordance with the following priority:

- 35 (1) First, in accordance with the provisions of any trust or other instrument of title
36 whereby title to the subject real property was acquired by the State.
- 37 (2) Second, to reimburse the Department of Administration for any funds
38 expended in the sale of the subject real property.
- 39 (3) Third, to be deposited into the State Capital and Infrastructure Fund,
40 established in G.S. 143C-4-3.1.

41 The Department of Administration shall obtain an appraisal assessing the value for
42 the property listed in this subsection according to their best and highest use and shall submit the
43 appraisal to the Joint Legislative Oversight Committee on Capital Improvements and the Fiscal
44 Research Division no later than January 1, 2026.

45 **SECTION 42.7.(b)** The Department of Administration shall prepare a plan that,
46 within 18 months of the effective date of this section, would consolidate and move the offices of
47 the State Records Center and any storage or satellite facilities related to the State Records Center
48 to another location outside of the downtown government complex. The Department of
49 Administration shall consider options for lease or purchase and shall submit its plan and cost
50 estimates to the Joint Legislative Oversight Committee on Capital Improvements and the Fiscal
51 Research Division no later than March 1, 2026.

1 **SECTION 42.7.(c)** This section is effective when it becomes law.

2
3 **PART XLIII. TRANSPORTATION**

4
5 **CASH FLOW HIGHWAY FUND AND HIGHWAY TRUST FUND**

6 **SECTION 43.1.(a)** Subsections (b) and (c) of Section 41.1 of S.L. 2023-134 are
7 repealed.

8 **SECTION 43.1.(b)** The General Assembly authorizes and certifies anticipated
9 revenues for the Highway Fund as follows:

| | |
|--------------------------------------|-----------------|
| 10 For Fiscal Year 2027-28 | \$3,399 million |
| 11 For Fiscal Year 2028-29 | \$3,553 million |
| 12 For Fiscal Year 2029-30 | \$3,612 million |
| 13 For Fiscal Year 2030-31 | \$3,666 million |
| 14 For Fiscal Year 2031-32 | \$3,723 million |

15 **SECTION 43.1.(c)** The General Assembly authorizes and certifies anticipated
16 revenues for the Highway Trust Fund as follows:

| | |
|--------------------------------------|-----------------|
| 17 For Fiscal Year 2027-28 | \$2,614 million |
| 18 For Fiscal Year 2028-29 | \$2,685 million |
| 19 For Fiscal Year 2029-30 | \$2,738 million |
| 20 For Fiscal Year 2030-31 | \$2,780 million |
| 21 For Fiscal Year 2031-32 | \$2,853 million |

22 **SECTION 43.1.(d)** The Department of Transportation, in collaboration with the
23 Office of State Budget and Management, shall develop a 10-year revenue forecast. The 10-year
24 revenue forecast developed under this subsection shall be used (i) to develop the five-year cash
25 flow estimates included in the biennial budgets, (ii) to develop the Strategic Transportation
26 Improvement Program, and (iii) by the Department of the State Treasurer to compute
27 transportation debt capacity.

28
29 **CONTINGENCY FUNDS**

30 **SECTION 43.2.(a)** The funds appropriated in this act to the Department of
31 Transportation, Construction – Contingency Fund Code for the 2025-2027 fiscal biennium shall
32 be allocated statewide for rural or small urban highway improvements and related transportation
33 enhancements to public roads and public facilities, industrial access roads, railroad infrastructure,
34 and spot safety projects, including pedestrian walkways that enhance highway safety. Projects
35 funded pursuant to this subsection require prior approval by the Secretary of Transportation.
36 Funds allocated under this subsection shall not revert at the end of the applicable fiscal year but
37 shall remain available until expended. The use of funds that do not revert under this subsection
38 is not restricted to the fiscal year in which the funds were allocated.

39 **SECTION 43.2.(b)** The Department of Transportation shall report to the members
40 of the General Assembly on projects funded pursuant to subsection (a) of this section in each
41 member's district prior to construction. The Department shall make a quarterly comprehensive
42 report on the use of these funds to the Joint Legislative Transportation Oversight Committee and
43 the Fiscal Research Division.

44
45 **TRANSPORTATION DISASTER RECOVERY FOR HURRICANE HELENE**

46 **SECTION 43.3.(a)** Clawback DMV IT Modernization Funds. – Whereas the
47 General Assembly tasked the Division of Motor Vehicles (DMV) with service and information
48 technology modernization efforts in 2013, and has appropriated over one hundred fifty million
49 dollars (\$150,000,000) for this purpose, and since there still remains a cash balance of more than
50 one hundred million dollars (\$100,000,000), which continues to accumulate, now therefore,
51 notwithstanding any other provision of law, of the funds previously appropriated to the Division

1 of Motor Vehicles of the Department of Transportation for information technology
2 modernization projects and available in NCFS Budget Fund 801169 or NCDOT SAP Fund Code
3 150021, the sum of sixty-five million dollars (\$65,000,000) shall be included under adjustments
4 to availability for the Highway Fund in Section 3.2 of this act.

5 **SECTION 43.3.(b) Clawback Remaining Dorian Funds.** – Whereas the General
6 Assembly appropriated thirty million dollars (\$30,000,000) for debris removal and repair of
7 highway infrastructure damage from Hurricane Dorian in 2019, and since all debris removal and
8 infrastructure repair from this storm have been completed and there remains a cash balance of
9 more than twenty-eight million dollars (\$28,000,000) in unexpended funds, now therefore,
10 notwithstanding any other provision of law, of the remaining funds previously appropriated to
11 the Department of Transportation from the General Fund for Hurricane Dorian recovery available
12 in NCFS Budget Fund 801278, the sum of twenty-eight million one hundred sixty-one thousand
13 four hundred eighteen dollars (\$28,161,418) shall be included under adjustments to availability
14 for the Highway Fund in Section 3.2 of this act.

15 **SECTION 43.3.(c) Recovery Funds.** – The following amounts from the Reserve for
16 General Maintenance (GMR) and from the unreserved credit balance to the GMR (Credit Balance
17 Funds) shall be used for cash flow and federal matching purposes for activities related to recovery
18 from Hurricane Helene:

- 19 (1) Notwithstanding subsections (f) and (f1) of G.S. 136-44.2 and any other
20 provision of law to the contrary, for the 2025-2026 fiscal year the Department
21 of Transportation shall use up to two hundred seventy million dollars
22 (\$270,000,000) in Credit Balance Funds.
- 23 (2) Notwithstanding subsections (f) and (f1) of G.S. 136-44.2 and any other
24 provision of law to the contrary, the Department of Transportation shall use
25 all future Credit Balance Funds until recovery is completed.
- 26 (3) Of the nonrecurring funds appropriated to GMR for the 2025-2027 fiscal
27 biennium, the sum of two hundred forty-seven million three hundred
28 sixty-nine thousand six hundred thirty dollars (\$247,369,630) in nonrecurring
29 funds for the 2025-2026 fiscal year and the sum of one hundred sixteen million
30 dollars (\$116,000,000) in nonrecurring funds for the 2026-2027 fiscal year.

31 **SECTION 43.3.(d) Management of Funds.** – All funds used for Hurricane Helene
32 recovery as set forth in this section shall be managed in a separate project account within GMR.
33 Federal reimbursements for funds expended from this account shall be deposited in this account.
34 Upon recovery completion, any remaining Recovery Funds shall be transferred to GMR for use
35 by the Department.

36 **SECTION 43.3.(e) Cash Watch Weekly Report.** – In addition to the other items
37 published in the weekly report required under G.S. 143C-6-11(n), the Department shall include
38 the total sum of Hurricane Helene expenditures and the total sum of federal reimbursements
39 received by the Department. This requirement shall remain in effect until recovery is complete
40 and the Department has received all federal reimbursements.

41 **DISASTER REIMBURSEMENT REPORTS**

42 **SECTION 43.4.** Article 2A of Chapter 136 of the General Statutes is amended by
43 adding a new section to read:

44 **"§ 136-44.2F. Disaster reimbursement reports.**

45 (a) Disaster Detailed Report. – No later than the end of each month, the Department of
46 Transportation shall submit a report to the Joint Legislative Transportation Oversight Committee
47 and the Fiscal Research Division on disaster expenditures that qualify for federal reimbursement.
48 The report shall be categorized by disaster and include the following information:

- 49 (1) Project number.
- 50 (2) Project description.
- 51

- 1 (3) Highway division.
- 2 (4) County.
- 3 (5) Total project expenditures to date.
- 4 (6) Federal disaster program eligibility.
- 5 (7) Estimated expenditures eligible for reimbursement.
- 6 (8) Date of initial reimbursement submission.
- 7 (9) Date of last reimbursement submission.
- 8 (10) Eligible expenditures submitted for reimbursement.
- 9 (11) Anticipated reimbursement.
- 10 (12) An explanation if the anticipated amount of reimbursement is less than the
- 11 estimate of expenditures eligible for reimbursement.
- 12 (13) Reimbursements received to date.

13 (b) Disaster Summary Report. – No later than the end of each quarter, the Department
14 shall submit a summary report to the Joint Legislative Transportation Oversight Committee and
15 the Fiscal Research Division for all disaster expenditures resulting from a disaster that occurred
16 on or after January 1, 2016, and that qualify for federal reimbursement. The report shall be by
17 disaster and contain the source of federal reimbursement and the total eligible expenditures as of
18 the date of the report.

19 (c) Failure to Submit Report. – If the Department fails to submit a report under this
20 section within 60 days of the required submission date, the Secretary of the Department shall
21 provide to the Joint Legislative Commission on Governmental Operations and the Fiscal
22 Research Division an explanation for not submitting the required report."

23

24 **POWELL BILL FUNDS**

25 **SECTION 43.5.** For the 2025-2027 fiscal biennium:

- 26 (1) The Department of Transportation shall not reduce the funds appropriated
- 27 under this act to the State Aid – Powell Bill Fund for allocation under the
- 28 Powell Bill (G.S. 136-41.1 through G.S. 136-41.4).
- 29 (2) Notwithstanding G.S. 136-41.1(a), Powell Bill program funds shall only be
- 30 allocated to municipalities with a population of less than 150,000.

31

32 **MODIFICATION TO MONTHLY STATEMENT REPORT**

33 **SECTION 43.6.** The Department of Transportation shall modify its monthly
34 financial statement report, as required by G.S. 143C-6-11(q), by separating the additional
35 registration fee charged for plug-in electric and plug-in hybrid electric vehicles charged under
36 G.S. 20-87(13) and G.S. 20-87(13a) from staggered registration in the "Statement of Fees, Taxes,
37 and Other" for the Highway Fund.

38

39 **RENAMING OF THE OFFICE OF CIVIL RIGHTS**

40 **SECTION 43.7.(a)** The North Carolina Department of Transportation's Office of
41 Civil Rights is hereby renamed the "Office of Small Business Development."

42 **SECTION 43.7.(b)** Consistent with subsection (a) of this section, the Revisor of
43 Statutes is authorized to change in the General Statutes the name of the Office of Civil Rights to
44 the Office of Small Business Development.

45

46 **CAPITAL INFRASTRUCTURE PLAN**

47 **SECTION 43.8.** The Department of Transportation shall prepare a cash flow
48 financing plan to fund capital replacement needs for the Division of Highways operating facilities
49 over an eight-year period. The basis for the plan shall be the building replacement schedule found
50 in Appendix A5 of the 2024 Report on the NCDOT Facilities Management Division Capital
51 Projects. The plan shall include examining the disposal of unused and underutilized real property

1 of the Department to fund this plan. The Department shall submit the plan to the Joint Legislative
2 Transportation Oversight Committee and the Fiscal Research Division by March 15, 2026.

4 ESTABLISH BOARD OF MOTOR VEHICLES

5 SECTION 43.9.(a) G.S. 20-2(a) reads as rewritten:

6 "(a) Commissioner and Assistants. – The Division of Motor Vehicles shall be
7 administered by the Commissioner of Motor Vehicles, who shall be appointed by and serve at
8 the pleasure of the ~~Secretary of the Department of Transportation.~~ Board of Motor Vehicles. The
9 Commissioner shall be paid an annual salary to be fixed by the Governor and allowed traveling
10 expenses as allowed by law.

11 In any action, proceeding, or matter of any kind, to which the Commissioner of Motor
12 Vehicles is a party or in which he may have an interest, all pleadings, legal notices, proof of
13 claim, warrants for collection, certificates of tax liability, executions, and other legal documents,
14 may be signed and verified on behalf of the Commissioner of Motor Vehicles by the Assistant
15 Commissioner of Motor Vehicles or by any director or assistant director of any section of the
16 Division of Motor Vehicles or by any other agent or employee of the Division so authorized by
17 the Commissioner of Motor Vehicles."

18 SECTION 43.9.(b) Article 1 of Chapter 20 of the General Statutes is amended by
19 adding a new section to read:

20 "§ 20-2.1. Board of Motor Vehicles.

21 (a) There is hereby created a Board of Motor Vehicles. The Board is responsible for
22 appointing the Commissioner of Motor Vehicles and overseeing the organization and
23 administration of the Division of Motor Vehicles by the Commissioner.

24 (b) The Board consists of nine voting members as follows:

25 (1) The Secretary of Transportation or the Secretary's designee.

26 (2) The Secretary of the Department of Information Technology or the Secretary's
27 designee.

28 (3) The Commander of the State Highway Patrol or the Commander's designee.

29 (4) Two members appointed by the Governor.

30 (5) Two members appointed by the General Assembly upon recommendation of
31 the President Pro Tempore of the Senate.

32 (6) Two members appointed by the General Assembly upon recommendation of
33 the Speaker of the House of Representatives.

34 (c) The terms of one member of the Board each appointed under subdivisions (4), (5),
35 and (6) of subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2027.
36 The terms of one member of the Board each appointed under subdivisions (4), (5), and (6) of
37 subsection (b) of this section shall begin on July 1, 2025, and expire on June 30, 2029. Thereafter,
38 all Board members appointed under subdivisions (4) through (6) of subsection (b) of this section
39 shall be appointed for four-year terms beginning on July 1 of the year that the previous term
40 expired.

41 (d) Board members appointed under subdivisions (4) through (6) of subsection (b) of this
42 section shall continue to serve until their successors are appointed. The appointing authority may
43 appoint a member to serve out the unexpired term of a Board member appointed by that
44 appointing authority. The appointing authority may remove a member of the Board appointed by
45 that appointing authority for any cause the appointing authority finds sufficient.

46 (e) The Board shall meet at least quarterly and may meet at any time at the call of the
47 chairperson or any three members of the Board. All clerical and other services required by the
48 Board shall be supplied by the Secretary of the Department of Transportation.

49 (f) The Board shall select a chairperson and may select other officers from among its
50 membership. The Board shall have the power to adopt and enforce rules and regulations for the
51 government of its business and proceedings. A majority of the Board shall constitute a quorum

1 for the transaction of business. Board members shall receive per diem and necessary travel and
2 subsistence expenses in accordance with G.S. 138-5 and G.S. 138-6, as appropriate."

3 **SECTION 43.9.(c)** G.S. 20-3 reads as rewritten:

4 **"§ 20-3. Organization of Division.**

5 The Commissioner, subject to the approval of the Secretary of the Department of
6 Transportation, shall organize and administer the Division in such manner as ~~he~~the
7 Commissioner may deem necessary to conduct the work of the Division."
8

9 **ELIMINATE MOTOR VEHICLE REGISTRATION CARDS AND STICKERS**

10 **SECTION 43.10.(a)** It is the intent of the General Assembly to reduce administrative
11 costs, streamline vehicle registration processes, and enhance efficiency by eliminating motor
12 vehicle registration cards and motor vehicle registration renewal stickers.

13 **SECTION 43.10.(b)** The Division of Motor Vehicles of the Department of
14 Transportation shall develop, implement, and maintain a secure and user-friendly electronic
15 vehicle registration system that allows vehicle owners, law enforcement agencies, and other
16 authorized entities to access and verify registration status without the need for physical
17 registration cards or renewal stickers.

18 **SECTION 43.10.(c)** G.S. 20-57 reads as rewritten:

19 **"§ 20-57. Division to issue certificate of title and ~~registration card~~electronic notice of**
20 **registration.**

21 (a) ~~The Division~~Division, upon registering a ~~vehicle~~vehicle, shall ~~issue a registration~~
22 ~~card and a~~issue: (i) an electronic notice of registration and (ii) a certificate of title as a separate
23 ~~documents~~document.

24 (a1) The Division shall maintain an electronic record of all vehicles registered in the State
25 and shall update the information contained in those records as required by this Chapter.

26 (b) The ~~notice of registration card~~ shall be delivered electronically to the owner and shall
27 ~~contain upon the face thereof state:~~ (i) the name and address of ~~the owner~~, all owners, (ii) the
28 registration number assigned to the vehicle, and (iii) a description of the vehicle as determined
29 by the ~~Commissioner~~, provided that if there are more than two owners the Division may show
30 only two owners on the registration card and indicate that additional owners exist by placing after
31 the names listed "et al." ~~Commissioner.~~ An owner may obtain a printed copy of a registration
32 card ~~the electronic notice of registration issued in the owner's name by applying to the Division~~
33 for a copy ~~Division, either in person or through an online portal maintained by the Division, and~~
34 paying the fee set in G.S. 20-85-a fee not to exceed the actual cost of printing and mailing.

35 (c) ~~Every such registration card shall at all times be carried in the vehicle to which it~~
36 ~~refers or in the vehicle to which transfer is being effected, as provided by G.S. 20-64 at the time~~
37 ~~of its operation, and such registration card shall be displayed upon demand of any peace officer~~
38 ~~or any officer of the Division: Provided, however, any person charged with failing to so carry~~
39 ~~such registration card shall not be convicted if he produces in court a registration card theretofore~~
40 ~~issued to him and valid at the time of his arrest: Provided further, that in case of a transfer of a~~
41 ~~license plate from one vehicle to another under the provisions of G.S. 20-72, evidence of~~
42 ~~application for transfer shall be carried in the vehicle in lieu of the registration card.~~

43 (d) The certificate of title shall contain ~~upon the face thereof the on its face identical~~
44 ~~information as required upon the face of the registration card except the abbreviation "et al." if~~
45 ~~such appears and in addition thereto the name of all owners,~~ on the electronic notice of
46 registration, the date of ~~issuance~~issuance, and all liens or encumbrances disclosed in the
47 application for title. All ~~such~~ liens or encumbrances shall be shown in the order of their priority,
48 according to the information contained in ~~such~~the application.

49"

50 **SECTION 43.10.(d)** G.S. 20-66 reads as rewritten:

51 **"§ 20-66. Renewal of vehicle registration.**

1 (a) Annual Renewal. – The registration of a vehicle must be renewed annually. In
 2 accordance with G.S. 105-330.5(b), upon receiving written consent from the owner of the
 3 vehicle, the Division may send any required notice of renewal electronically to an e-mail address
 4 provided by the owner of the vehicle. To renew the registration of a vehicle, the owner of the
 5 vehicle must file an application with the Division and pay the required registration fee. The owner
 6 of a vehicle registered in North Carolina may renew that vehicle registration by mail. The
 7 Division may receive and grant an application for renewal of registration at any time before the
 8 registration expires.

9 (b) ~~Method of Division Action upon Renewal.~~ – When the Division renews the
 10 registration of a vehicle, it must ~~issue a new registration card for the vehicle and either a new~~
 11 ~~registration plate or a registration renewal sticker. The Division may renew a registration plate~~
 12 ~~for any type of vehicle by means of a renewal sticker.~~ update the electronic record of registration
 13 and issue an updated electronic notice of registration, which must indicate the period for which
 14 the registration is valid.

15 ...
 16 (c) ~~Renewal Stickers.~~—A single registration renewal sticker issued by the Division must
 17 be displayed on the registration plate that it renews in the place prescribed by the Commissioner
 18 and must indicate the period for which it is valid. Except where physical differences between a
 19 registration renewal sticker and a registration plate render a provision of this Chapter
 20 inapplicable, the provisions of this Chapter relating to registration plates apply to registration
 21 renewal stickers.

22 ...
 23 (g) ~~When Renewal Sticker Renewed Registration Expires.~~ – The registration of a vehicle
 24 that is renewed by means of a registration renewal sticker in accordance with this section expires
 25 at midnight on the last day of the last month designated on the sticker. of the validity period
 26 indicated on the electronic notice of registration. It is lawful, however, to operate the vehicle on
 27 a highway until midnight on the fifteenth day of the month following the month in which the
 28 sticker registration expired.

29 ~~The Division may vary the expiration dates of registration renewal stickers issued for a type~~
 30 ~~of vehicle so that an approximately equal number expires at the end of each month, quarter, or~~
 31 ~~other period consisting of one or more months. When the Division implements registration~~
 32 ~~renewal for a type of vehicle by means of a renewal sticker, it may issue a registration renewal~~
 33 ~~sticker that expires at the end of any monthly interval.~~

34"

35 **SECTION 43.10.(e)** G.S. 20-4.01 reads as rewritten:

36 "**§ 20-4.01. Definitions.**

37 Unless the context requires otherwise, the following definitions apply throughout this
 38 Chapter to the defined words and phrases and their cognates:

39 ...

40 (7c) Electronic Record of Registration. – The electronic record of registration for
 41 a vehicle maintained by the Division pursuant to G.S. 20-57.

42 (7e)(7d) Employer. – Any person who owns or leases a commercial motor vehicle
 43 or assigns a person to drive a commercial motor vehicle and would be subject
 44 to the alcohol and controlled substance testing provisions of 49 C.F.R. § 382
 45 and also includes any consortium or third-party administrator administering
 46 the alcohol and controlled substance testing program on behalf of
 47 owner-operators subject to the provisions of 49 C.F.R. § 382.

48"

49 **SECTION 43.10.(f)** G.S. 20-26 reads as rewritten:

50 "**§ 20-26. Records; copies furnished; charge.**

51 ...

1 (b1) The registered or declared weight set forth on the vehicle registration ~~card~~ or a
 2 certified copy of the Division record sent by the Department of Public Safety or otherwise is
 3 admissible in any judicial or administrative proceeding and shall be prima facie evidence of the
 4 registered or declared weight.

5"

6 **SECTION 43.10.(g)** G.S. 20-28.2 reads as rewritten:

7 "**§ 20-28.2. Forfeiture of motor vehicle for impaired driving after impaired driving license**
 8 **revocation; forfeiture for felony speeding to elude arrest.**

9 ...

10 (a1) Definitions. – As used in this section and in G.S. 20-28.3, 20-28.4, 20-28.5, 20-28.7,
 11 20-28.8, 20-28.9, 20-54.1, and 20-141.5, the following terms mean:

12 ...

13 (3a) Motor Vehicle Owner. – A person in whose name a registration ~~card~~ card, an
 14 electronic notice of registration, or certificate of title for a motor vehicle is
 15 issued at the time of seizure.

16 ...

17 (6) Registered Owner. – A person in whose name a registration card or an
 18 electronic notice of registration for a motor vehicle is issued at the time of
 19 seizure.

20"

21 **SECTION 43.10.(h)** G.S. 20-45 reads as rewritten:

22 "**§ 20-45. Seizure of documents and plates.**

23 (a) The Division is authorized to take possession of any certificate of title, ~~registration~~
 24 ~~card~~, permit, license, or registration plate issued by it upon expiration, revocation, cancellation,
 25 or suspension thereof, or which is fictitious, or which has been unlawfully or erroneously issued,
 26 or which has been unlawfully used.

27 (b) The Division may give notice to the owner, licensee or lessee of its authority to take
 28 possession of any certificate of title, ~~registration card~~, permit, license, or registration plate issued
 29 by it and require that person to surrender it to the Commissioner or the Commissioner's officers
 30 or agents. Any person who fails to surrender the certificate of title, ~~registration card~~, permit,
 31 license, or registration plate or any duplicate thereof, upon personal service of notice or within
 32 10 days after receipt of notice by mail as provided in G.S. 20-48, shall be guilty of a Class 2
 33 misdemeanor.

34 (c) Any sworn law enforcement officer with jurisdiction, including a member of the State
 35 Highway Patrol, is authorized to seize the certificate of title, ~~registration card~~, permit, license, or
 36 registration plate, if the officer has electronic or other notification from the Division that the item
 37 has been revoked or cancelled, or otherwise has probable cause to believe that the item has been
 38 revoked or cancelled under any law or statute, including G.S. 20-311. If a criminal proceeding
 39 relating to a certificate of title, ~~registration card~~, permit, or license is pending, the law
 40 enforcement officer in possession of that item shall retain the item pending the entry of a final
 41 judgment by a court with jurisdiction. If there is no criminal proceeding pending, the law
 42 enforcement officer shall deliver the item to the Division.

43"

44 **SECTION 43.10.(i)** G.S. 20-49 reads as rewritten:

45 "**§ 20-49. Police authority of Division.**

46 The ~~Commissioner and such~~ Commissioner, any officers and inspectors of the Division as ~~he~~
 47 ~~shall designate~~ designated by the Commissioner, and all members of the Highway Patrol and law
 48 enforcement officers of the Department of Public Safety shall have the power:

49 ...

50 (4) When on duty, upon reasonable belief that any vehicle is being operated in
 51 violation of any provision of this Article or of any other law regulating the

operation of vehicles to require the driver ~~thereof to~~ of that vehicle to: (i) stop and exhibit his or her driver's license ~~and the registration card issued for the vehicle, and~~ license and (ii) submit to an inspection of ~~such the~~ stopped vehicle, including the vehicle's registration plates and registration card thereon ~~or to an inspection and a~~ test of the equipment of such vehicle.~~vehicle's equipment.~~

...."

SECTION 43.10.(j) G.S. 20-52 reads as rewritten:

"§ 20-52. Application for registration and certificate of title.

(a) An owner of a vehicle subject to registration must apply to the Division for a certificate of ~~title, title and a registration plate, and a registration card~~ title and a registration plate for the vehicle. To apply, an owner must complete an application provided by the Division. The application shall contain a preprinted option that co-owners may use to title the vehicle as a joint tenancy with right of survivorship. The co-owners' designation of a joint tenancy with right of survivorship on the application shall be valid notwithstanding whether this designation appears on the assignment of title. The application must request all of the following information and may request other information the Division considers necessary:

...

(c) Unless otherwise prohibited by federal law, an application for a certificate of title, salvage certificate of title, a registration plate, ~~a registration card,~~ and any other document required by the Division to be submitted with the application and requiring a signature may be submitted to the Division with an electronic signature in accordance with Article 40 of Chapter 66 of the General Statutes. The required notarization of any electronic signature on any application or document submitted to the Division pursuant to this subsection may be performed electronically in accordance with Article 2 of Chapter 10B of the General Statutes. The Division will not certify or approve a specific electronic process or vendor. Any entity offering an electronic signature process assumes all responsibility and liability for the accuracy of the signature. The Division shall be held harmless from any liability to a claim arising from applications submitted with an inaccurate electronic signature pursuant to this subsection."

SECTION 43.10.(k) G.S. 20-53.1 reads as rewritten:

"§ 20-53.1. Specially constructed vehicle certificate of title and registration.

(a) Specially constructed vehicles shall be titled in the following manner:

- (1) Replica vehicles shall be titled as the year, make, and model of the vehicle intended to be replicated. A label of "Replica" shall be applied to the title and ~~registration card.~~ the electronic record of registration. All replica vehicle titles shall be labeled "Specially Constructed Vehicle."
- (2) The model year of a street rod vehicle shall continue to be recognized as the manufacturer's assigned model year. The manufacturer's name shall continue to be used as the make with a label of "Street Rod" applied to the title and ~~registration card.~~ the electronic record of registration. All street rod vehicle titles shall be labeled "Specially Constructed Vehicle."
- (3) Custom-built vehicles shall be titled and registered showing the make as "Custom-built," and the year the vehicle was built shall be the vehicle model year. All custom-built vehicle titles shall be labeled "Specially Constructed Vehicle."

...

(c) Motor vehicle certificates of title and ~~registration cards~~ electronic notices of registration issued pursuant to this section shall be labeled in accordance with this section. As used in this section, "labeled" means that the title and ~~registration card~~ electronic notice of registration shall contain a designation that discloses if the vehicle is classified as any of the following:

1 (1) Specially constructed vehicle.

2 (2) Inoperable vehicle."

3 **SECTION 43.10.(l)** G.S. 20-53.4 reads as rewritten:

4 **"§ 20-53.4. Registration of mopeds; certificate of title.**

5 (a) Registration. – Mopeds shall be registered with the Division. The owner of the moped
6 shall pay the same base fee and be issued the same type of ~~registration card~~ electronic notice of
7 registration and plate issued for a motorcycle. In order to be registered with the Division and
8 operated upon a highway or public vehicular area, a moped must meet the following
9 requirements:

10 (1) The moped has a manufacturer's certificate of origin.

11 (2) The moped was designed and manufactured for use on highways or public
12 vehicular areas.

13"

14 **SECTION 43.10.(m)** G.S. 20-61 reads as rewritten:

15 **"§ 20-61. Owner dismantling or wrecking vehicle to return evidence of registration.**

16 Except as permitted under G.S. 20-62.1, any owner dismantling or wrecking any vehicle shall
17 forward to the Division the certificate of ~~title, registration card~~ title and other proof of ownership,
18 and the registration plates last issued for ~~such the~~ vehicle, unless ~~such the~~ plates are to be
19 transferred to another vehicle of the same owner. In that event, the plates shall be retained and
20 preserved by the owner for transfer to ~~such the~~ other vehicle. No person, firm or corporation shall
21 dismantle or wreck any motor vehicle without first complying with the requirements of this
22 section. The Commissioner upon receipt of certificate of title and notice from the owner thereof
23 that a vehicle has been junked or dismantled may cancel and destroy ~~such the~~ record of certificate
24 of title."

25 **SECTION 43.10.(n)** G.S. 20-63 reads as rewritten:

26 **"§ 20-63. Registration plates furnished by Division; requirements; replacement of regular**
27 **plates with First in Flight plates, First in Freedom plates, or National/State**
28 **Mottos plates; surrender and reissuance; displaying; preservation and cleaning;**
29 **alteration or concealment of numbers; commission contracts for issuance.**

30 ...

31 (g) Alteration, Disguise, or Concealment of Numbers. – Any operator of a motor vehicle
32 who shall willfully mutilate, bend, twist, cover or cause to be covered or partially covered by any
33 bumper, light, spare tire, tire rack, strap, or other device, or who shall paint, enamel, emboss,
34 stamp, print, perforate, or alter or add to or cut off any part or portion of a registration plate or
35 the figures or letters thereon, or who shall place or deposit or cause to be placed or deposited any
36 oil, grease, or other substance upon such registration plates for the purpose of making dust adhere
37 thereto, or who shall deface, disfigure, change, or attempt to change any letter or figure thereon,
38 or who shall display a number plate in other than a horizontal upright position, shall be guilty of
39 a Class 2 misdemeanor. Any operator of a motor vehicle who shall willfully cover or cause to be
40 covered any part or portion of a registration plate or the figures or letters thereon by any device
41 designed or intended to prevent or interfere with the taking of a clear photograph of a registration
42 plate by a traffic control or toll collection system using cameras commits an infraction and shall
43 be penalized under G.S. 14-3.1. Any operator of a motor vehicle who shall otherwise
44 intentionally cover any number ~~or registration renewal sticker~~ on a registration plate with any
45 material that makes the number ~~or registration renewal sticker~~ illegible commits an infraction
46 and shall be penalized under G.S. 14-3.1. Any operator of a motor vehicle who covers any
47 registration plate with any frame or transparent, clear, or color-tinted cover that makes a number
48 or letter included in the vehicle's ~~registration, registration or the State name on the plate, or a~~
49 ~~number or month on the registration renewal sticker on the plate~~ illegible commits an infraction
50 and shall be penalized under G.S. 14-3.1.

1 (h) Commission Contracts for Issuance of Plates and ~~Certificates.~~ Certificates and
2 In-Person Registration Renewal. – All registration ~~plates, registration certificates, plates and~~
3 certificates of title issued by the Division, outside of those issued from the office of the Division
4 located in Wake, Cumberland, or Mecklenburg Counties and those issued and handled through
5 the United States mail, shall be issued insofar as practicable and possible through commission
6 contracts entered into by the Division for the issuance of the plates and certificates in localities
7 throughout North Carolina, including military installations within this State, with persons, firms,
8 corporations or governmental subdivisions of the State of North Carolina. The Division shall also
9 offer in-person registration renewal through commission contract arrangements. The Division
10 shall accept applications for new commission contracts or renewal of existing contracts and enter
11 into contracts with commission contractors in the commission contractor's business entity name,
12 unless the commission contractor chooses to enter into a contract as an individual. The Division
13 shall make a reasonable effort in every locality, except as noted above, to enter into a commission
14 contract ~~for~~ for: (i) the issuance of the plates and certificates and (ii) offering in-person vehicle
15 registration renewal, and a record of these efforts shall be maintained in the Division. In the event
16 the Division is unsuccessful in making commission contracts, it shall ~~shall:~~ (i) issue the plates
17 and ~~certificates~~ certificates, and (ii) offer in-person vehicle registration renewal through the
18 regular employees of the Division. Whenever registration ~~plates, registration certificates, plates~~
19 and certificates of title are issued by the Division through commission contract arrangements, the
20 Division shall provide proper supervision of the distribution. Whenever in-person vehicle
21 registration renewal is offered through commission contract arrangements, the Division shall
22 ensure that the electronic record of registration is properly updated. Nothing contained in this
23 subsection allows or permits the operation of fewer outlets in any county in this State than are
24 now being operated.

25 The terms of a commission contract entered under this subsection shall specify the duration
26 of the contract and either include or incorporate by reference standards by which the Division
27 may supervise and evaluate the performance of the commission contractor. The duration of an
28 initial commission contract may not exceed eight years and the duration of a renewal commission
29 contract may not exceed two years. The Division may award monetary performance bonuses, not
30 to exceed an aggregate total of ninety thousand dollars (\$90,000) annually, to commission
31 contractors based on their performance.

32 The terms of a commission contract entered under this subsection shall allow the commission
33 contractor to sell the contractor's business, as applicable, and assign contractual rights to another
34 qualified contractor prior to expiration of the contract. A qualified contractor is a person, firm,
35 corporation, or governmental subdivision of the State of North Carolina, with demonstrated
36 experience as a commission contractor in North Carolina or equivalent experience in another
37 state, as determined by the Division. All Division equipment and software shall be transferred to
38 the new commission contractor upon sale, in accordance with guidelines established by the
39 Division.

40 The amount of compensation payable to a commission contractor is determined on a per
41 transaction basis. The collection of the highway use tax and the removal of an inspection stop are
42 each considered a separate transaction for which one dollar and sixty-eight cents (\$1.68)
43 compensation shall be paid. The issuance of a limited registration "~~T~~" ~~sticker~~ plate and the
44 collection of property tax are each considered a separate transaction for which compensation at
45 the rate of one dollar and forty cents (\$1.40) and one dollar and sixteen cents (\$1.16) respectively,
46 shall be paid by counties and municipalities as a cost of the combined motor vehicle registration
47 renewal and property tax collection system. The performance at the same time of one or more of
48 the transactions below is considered a single transaction for which one dollar and eighty-nine
49 cents (\$1.89) compensation shall be paid:

- 50 (1) Issuance of a registration ~~plate, a registration card, a registration sticker, plate~~
51 or a certificate of title.

1 (1a) In-person vehicle registration renewal.

2 ...

3 (4) Acceptance of a surrendered registration ~~plate, registration card, or~~
4 ~~registration renewal sticker, plate~~ or acceptance of an affidavit stating why a
5 person cannot surrender a registration ~~plate, registration card, or registration~~
6 ~~renewal sticker, plate.~~

7 ...

8 (j) The Division shall contract with at least two online motor vehicle registration vendors
9 which may enter into contracts with motor vehicle dealers and other participants, including, but
10 not limited to, out-of-state entities, such as dealers, fleet, leasing, and rental car companies, to
11 complete and file Division required documents for ~~the the:~~ (i) issuance of a certificate of ~~title,~~
12 ~~title or registration plate, or registration card or~~ (ii) issuance of a duplicate certificate of ~~title, title~~
13 ~~or registration plate, or registration card plate, or~~ (iii) renewing the registration and updating the
14 electronic record of registration for a motor vehicle, upon purchase or sale of a vehicle. Vendors
15 under contract with the Division pursuant to this subsection may also enter into contracts with
16 used motor vehicle dealers whose primary business is the sale of salvage vehicles on behalf of
17 insurers to complete and file documents required by the Division for the issuance of a salvage
18 certificate of title. The Division shall not unreasonably deny a contract or access to any entity.

19 (k) Commission contract agents are authorized to enter into contracts with online motor
20 vehicle registration vendors which are under contract with the Division to complete and file
21 Division required documents for ~~the the:~~ (i) issuance of a certificate of ~~title, title or~~ registration
22 ~~plate, or registration card or~~ (ii) issuance of a duplicate certificate of ~~title, title or~~ registration
23 ~~plate, or registration card plate, or~~ (iii) renewing the registration and updating the electronic
24 record of registration for a motor vehicle."

25 **SECTION 43.10.(o)** G.S. 20-67 reads as rewritten:

26 "**§ 20-67. Notice of change of address or name.**

27 (a) Address. – A person whose address changes from the address stated on a certificate
28 of title or ~~registration card~~ electronic notice of registration must notify the Division of the change
29 within 60 days after the change occurs. The person may obtain a duplicate certificate of title ~~or~~
30 ~~registration card~~ stating the new address but is not required to do so. The Division shall update
31 the person's electronic record of registration. A person who does not move but whose address
32 changes due to governmental action may not be charged with violating this subsection.

33 (b) Name. – A person whose name changes from the name stated on a certificate of title
34 or ~~registration card~~ electronic notice of registration must notify the Division of the change within
35 60 days after the change occurs. The person may obtain a duplicate certificate of title ~~or~~
36 ~~registration card~~ but is not required to do so.

37 (c) Fee. — G.S. 20-85 sets the fee for a duplicate certificate of title or registration card."

38 **SECTION 43.10.(p)** G.S. 20-68 reads as rewritten:

39 "**§ 20-68. Replacement of lost or damaged ~~certificates, cards~~ certificates and plates.**

40 (a) ~~In the event any registration card or~~ If a registration plate is lost, mutilated, or
41 becomes illegible, the owner or legal representative of the owner of the vehicle for which the
42 same was issued, as shown by the records of the Division, shall immediately make application
43 for and may obtain a duplicate or a substitute or a new registration under a new registration
44 number, as determined to be most advisable by the Division, upon the applicant's furnishing
45 under oath information satisfactory to the Division and payment of required fee.

46 "

47 **SECTION 43.10.(q)** G.S. 20-70 reads as rewritten:

48 "**§ 20-70. Division to be notified when another engine is installed or body changed.**

49 (a) Whenever a motor vehicle registered hereunder is altered by the installation of
50 another engine in place of an engine, the number of which is shown in the registration records,
51 or the installation of another body in place of a body, the owner of ~~such that~~ motor vehicle shall

1 immediately give notice to the Division in writing on a form prepared by it, which shall state the
 2 number of the former engine and the number of the newly installed engine, the registration
 3 number of the motor vehicle, the name of the owner and any other information which the Division
 4 may require. Whenever another engine has been substituted as provided in this section, and the
 5 notice given as required hereunder, the Division ~~shall~~ shall (i) insert the number of the newly
 6 installed engine upon the ~~registration card and~~ certificate of title issued for ~~such that~~ motor
 7 ~~vehicle.~~ vehicle and (ii) update the electronic record of registration associated with that motor
 8 vehicle.

9 (b) Whenever a new engine or serial number has been assigned to and stamped upon a
 10 motor vehicle as provided in G.S. 20-69, or whenever a new engine has been installed or body
 11 changed as provided in this section, the Division shall require the owner to surrender to the
 12 Division the ~~registration card and~~ certificate of title previously issued for ~~said that~~ vehicle. The
 13 Division shall ~~also~~ also: (i) update the electronic record of registration associated with that motor
 14 vehicle and (ii) require the owner to make application apply for a duplicate registration card and
 15 a duplicate certificate of title showing the new motor or serial number thereon or new style of
 16 body, and upon body. Upon receipt of such the application and fee, as for any other duplicate
 17 title, the Division shall issue to said the owner a duplicate registration and a duplicate certificate
 18 of title showing thereon the new number in place of the original number or the new style of body.

19"

20 **SECTION 43.10.(r)** G.S. 20-71 reads as rewritten:

21 "**§ 20-71. Altering or forging certificate of title, registration card or application, a felony;**
 22 **reproducing or possessing blank certificate of title.**

23 (a) Any person who, with fraudulent intent, shall alter any certificate of title, registration
 24 ~~card~~ issued by the Division, or any application for a certificate of title or ~~registration card,~~
 25 registration, or forge or counterfeit any certificate of title or registration ~~card~~ purported to have
 26 been issued by the Division under the provisions of this Article, or who, with fraudulent intent,
 27 shall alter, falsify or forge any assignment thereof, or who shall hold or use any such certificate,
 28 ~~registration card, registration,~~ or application, or assignment, knowing the same to have been
 29 altered, forged or falsified, shall be guilty of a felony and upon conviction thereof shall be
 30 punished in the discretion of the court.

31"

32 **SECTION 43.10.(s)** G.S. 20-71.3 reads as rewritten:

33 "**§ 20-71.3. Salvage and other vehicles – ~~titles and registration cards to be branded.~~ title and**
 34 **registration branding.**

35 (a) Motor vehicle certificates of title ~~and registration cards issued~~ issued, electronic
 36 notices of registration issued, and electronic records of registration maintained pursuant to
 37 G.S. 20-57 shall be branded in accordance with this section.

38 As used in this section, "branded" means that the title and ~~registration card~~ electronic record
 39 of registration shall contain a designation that discloses if the vehicle is classified as any of the
 40 following:

- 41 (1) Salvage Motor Vehicle.
- 42 (2) Salvage Rebuilt Vehicle.
- 43 (3) Reconstructed Vehicle.
- 44 (4) Flood Vehicle.
- 45 (5) Non-U.S.A. Vehicle.
- 46 (6) Any other classification authorized by law.

47 (a1) Any motor vehicle that is declared a total loss by an insurance company licensed and
 48 approved to conduct business in North Carolina, in addition to the designations noted in
 49 subsection (a) of this section, shall:

- 50 (1) Have the title and ~~registration card~~ electronic record of registration marked
 51 "TOTAL LOSS CLAIM".

- 1 (2) Have a tamperproof permanent marker inserted into the doorjamb of that
 2 vehicle by the Division, at the time of the final inspection of the reconstructed
 3 vehicle, that states "TOTAL LOSS CLAIM VEHICLE". Should that vehicle
 4 be later reconstructed, repaired, or rebuilt, a permanent tamperproof marker
 5 shall be inserted in the doorjamb of the reconstructed, repaired, or rebuilt
 6 vehicle.

7 ...

- 8 (i) Once the Division has issued a branded title for a motor vehicle all subsequent titles
 9 for that motor vehicle and the electronic record of registration associated with that vehicle shall
 10 continue to reflect the branding.

11"

12 **SECTION 43.10.(t)** G.S. 20-72 reads as rewritten:

13 **"§ 20-72. Transfer by owner.**

- 14 (a) Whenever the owner of a registered vehicle transfers or assigns his title or interests
 15 thereto, he shall remove the license plates. The ~~registration card and~~ plates shall be forwarded to
 16 the Division unless the plates are to be transferred to another vehicle as provided in G.S. 20-64.
 17 If they are to be transferred to and used with another vehicle, then ~~the endorsed registration card~~
 18 ~~and~~ the plates shall be retained and preserved by the owner. If such registration plates are to be
 19 transferred to and used with another vehicle, then the owner shall make application to the
 20 Division for assignment of the registration plates to such other vehicle under the provisions of
 21 G.S. 20-64. Such application shall be made within 20 days after the date on which such plates
 22 are last used on the vehicle to which theretofore assigned.

23"

24 **SECTION 43.10.(u)** G.S. 20-76 reads as rewritten:

25 **"§ 20-76. Title lost or unlawfully detained; bond as condition to issuance of new certificate.**

- 26 (a) Whenever the applicant for the registration of a vehicle or a new certificate of title
 27 thereto is unable to present a certificate of title thereto by reason of the same being lost or
 28 unlawfully detained by one in possession, or the same is otherwise not available, the Division is
 29 hereby authorized to receive such application and to examine into the circumstances of the case,
 30 and may require the filing of affidavits or other information; and when the Division is satisfied
 31 that the applicant is entitled thereto and that G.S. 20-72 has been complied with, it is hereby
 32 authorized ~~to~~ to: (i) register ~~such vehicle~~ that vehicle, (ii) update the electronic record of
 33 registration associated with that vehicle, and (iii) issue a new ~~registration card, electronic notice~~
 34 of registration, registration plate or plates and certificates of title to the person entitled thereto,
 35 upon payment of proper fees.

36 ...

- 37 (c) Whenever an applicant for the registration of a moped is unable to present a
 38 manufacturer's certificate of origin for the moped, the applicant must submit an affidavit stating
 39 why the applicant does not have the manufacturer's certificate of origin and attesting that the
 40 applicant is entitled to registration. Upon receipt of the application and accompanying affidavit,
 41 the Division ~~shall~~ shall: (i) update the electronic record of registration associated with the moped
 42 and (ii) issue the applicant a registration card and an electronic notice of registration and a registration
 43 plate. The Division may not require the applicant to post a bond as required under subsection (b)
 44 of this section. A person damaged by ~~issuance of the registration card and~~ an update to an electronic
 45 record of registration or the issuance of an electronic notice of registration does not have a right
 46 of action against the Division."

47 **SECTION 43.10.(v)** G.S. 20-78 reads as rewritten:

48 **"§ 20-78. When Division to transfer registration and issue new certificate; recordation.**

- 49 (a) The Division, upon receipt of a properly endorsed certificate of title, application for
 50 transfer thereof and payment of all proper fees, shall issue a new certificate of title as upon an
 51 original registration. The Division, upon receipt of an application for transfer of registration

plates, together with payment of all proper fees, shall update the electronic record of registration and issue a new registration card-electronic notice of registration transferring and assigning the registration plates and numbers thereon as upon an original assignment of registration plates. The Division, upon receipt of an application for transfer thereof and payment of all proper fees, but without receipt of a properly endorsed certificate of title, shall issue a salvage certificate of title pursuant to G.S. 20-109.1(b)(2) or G.S. 20-109.1(e1).

(b) The Division shall maintain a record of certificates of title issued by the Division for a period of 20 years. After 20 years, the Division shall maintain a record of the last two owners.

The Commissioner is hereby authorized and empowered to provide for the photographic or photostatic recording of certificate of title records in such manner as ~~he~~ the Commissioner may deem expedient. The photographic or photostatic copies herein authorized shall be sufficient as evidence in tracing of titles of the motor vehicles designated therein, and shall also be admitted in evidence in all actions and proceedings to the same extent that the originals would have been admitted."

SECTION 43.10.(w) G.S. 20-79 reads as rewritten:

"§ 20-79. Dealer license plates.

...

(b1) ~~Dealer Plate Registration Card-Electronic Record.~~ – For each dealer license plate issued pursuant to this section, the Division ~~must provide a registration card~~ shall maintain an electronic record that lists all valid dealer license plates issued to that dealer pursuant to this section. The Division shall ~~reissue registration cards~~ update the electronic record as needed to ensure the accuracy of dealer license plate information.

...

(d) Restrictions on Use. – A dealer license plate may be displayed only on a motor vehicle that meets all of the following requirements:

...

(6) Displays a dealer license plate that matches (i) a copy of the registration card for the dealer plate issued to the dealer carried by the person operating the motor vehicle, or (ii) if the person is operating the motor vehicle in this State, ~~a registration card for the dealer plate issued to the dealer that is maintained on file at the dealer's address listed on the registration card and the registration card must be able to be produced within 24 hours upon request of any law enforcement officer.~~ the electronic record maintained by the Division pursuant to subsection (b1) of this section.

A dealer may issue a demonstration permit for a motor vehicle to a person licensed to drive that type of motor vehicle. A demonstration permit authorizes each person named in the permit to drive the motor vehicle described in the permit for up to 96 hours after the time the permit is issued. A dealer may, for good cause, renew a demonstration permit for one additional 96-hour period. A franchised motor vehicle dealer is not prohibited from using a demonstration permit pursuant to this subsection by reason of the dealer's receipt of (i) incentive or warranty compensation or other reimbursement or consideration from a manufacturer, factory branch, distributor, distributor branch or (ii) a third-party warranty, maintenance, or service contract company relating to the use of the vehicle as a demonstrator or service loaner.

A dealer may not lend, rent, lease, or otherwise place a dealer license plate at the disposal of a person except as authorized by this subsection.

...."

SECTION 43.10.(x) G.S. 20-79.02 reads as rewritten:

"§ 20-79.02. Loaner/Dealer "LD" license plate for franchised dealer loaner vehicles.

...

(b) ~~Number of Plates-Plates; Electronic Record.~~— There is no limit on the number of LD license plates that a franchised motor vehicle dealer may be issued, provided that the applicable

1 annual fee for each plate is paid. The Division shall maintain an electronic record of all valid LD
2 plates issued pursuant.

3 ...
4 (d) Restrictions on Use. – The following restrictions apply with regard to the use and
5 display of an LD license plate:

6 ...
7 (2) The person operating the motor vehicle must carry a copy of the assignment
8 by the franchised motor vehicle dealer and a copy of the registration card for
9 the LD license plate issued to the franchised motor vehicle dealer, or, if the
10 person is operating the motor vehicle in this State, ~~the registration card must~~
11 ~~be maintained on file at the franchised motor vehicle dealer's address listed on~~
12 ~~the registration card, and the registration card must be able to be produced~~
13 ~~within 24 hours upon request of a law enforcement officer. ensure that LD~~
14 ~~license plate matches the electronic record of validity maintained by the~~
15 Division pursuant to subsection (b) of this section.

16"

17 **SECTION 43.10.(y)** G.S. 20-85 reads as rewritten:

18 **"§ 20-85. Schedule of fees.**

19 (a) The following fees are imposed concerning a certificate of ~~title, a registration card,~~
20 title or a registration plate for a motor vehicle. These fees are payable to the Division and are in
21 addition to the tax imposed by Article 5A of Chapter 105 of the General Statutes:

22 ...
23 ~~(6) Each application for duplicate registration card.....21.50~~

24"

25 **SECTION 43.10.(z)** G.S. 20-88 reads as rewritten:

26 **"§ 20-88. Property-hauling vehicles.**

27 ...
28 (c) The fee for a semitrailer or trailer is twenty-seven dollars (\$27.00) for each year or
29 part of a year. The fee is payable each year. Upon the application of the owner of a semitrailer or
30 trailer, the Division may issue a multiyear plate and ~~registration card~~ electronic notice of
31 registration for the semitrailer or trailer for a fee of one hundred five dollars and seventy-five
32 cents (\$105.75). Upon issuance of a multiyear plate, the Division shall update the electronic
33 record of registration associated with the registered vehicle accordingly. A multiyear plate and
34 registration ~~card~~ for a semitrailer or trailer are valid until the owner transfers the semitrailer or
35 trailer to another person or surrenders the plate and registration card to the Division. A multiyear
36 plate may not be transferred to another vehicle.

37 The Division shall issue a multiyear semitrailer or trailer plate in a different color than an
38 annual semitrailer or trailer plate and shall include the word "multiyear" on the plate. The
39 Division may not issue a multiyear plate for a house trailer.

40"

41 **SECTION 43.10.(aa)** G.S. 20-95 reads as rewritten:

42 **"§ 20-95. Prorated fee for license plate issued for other than a year.**

43 ...
44 (a1) ~~Plate With Renewal Sticker. Prorated License Plate Renewal Fees.~~ – The fee for a
45 license plate whose registration is renewed ~~by means of a registration renewal sticker~~ for a period
46 of other than 12 months is a prorated amount of the annual fee. The prorated amount is
47 one-twelfth of the annual fee multiplied by the number of full months in the period beginning the
48 date the renewal ~~sticker~~ becomes effective until the date the renewal ~~sticker~~ expires, rounded to
49 the nearest dollar.

50"

51 **SECTION 43.10.(bb)** G.S. 20-110 reads as rewritten:

1 **"§ 20-110. When registration shall be rescinded.**

2 ...
3 (b) The Division shall rescind and cancel the registration of any vehicle whenever the
4 person to whom the registration ~~card or registration number plates therefor~~ or plates have been
5 issued shall make or permit to be made any unlawful use of the ~~said card~~ registration or plates or
6 permit the use thereof by a person not entitled thereto.
7"

8 **SECTION 43.10.(cc)** G.S. 20-111 reads as rewritten:

9 **"§ 20-111. Violation of registration provisions.**

10 It shall be unlawful for any person to commit any of the following acts:

11 ...

12 (2) To display or cause or permit to be displayed or to have in possession ~~any~~
13 ~~registration card, an~~ electronic notice of registration, certificate of title or
14 registration number plate knowing the same to be fictitious or to have been
15 canceled, revoked, suspended or altered, or to willfully display an expired
16 license or registration plate on a vehicle knowing the same to be expired.
17 Violation of this subdivision is a Class 3 misdemeanor.

18 ...

19 (4) To fail or refuse to surrender to the Division, upon demand, any title
20 ~~certificate, registration card~~ certificate or registration number plate which has
21 been suspended, canceled or revoked as in this Article provided. Service of
22 the demand shall be in accordance with G.S. 20-48.

23"

24 **SECTION 43.10.(dd)** G.S. 20-176 reads as rewritten:

25 **"§ 20-176. Penalty for misdemeanor or infraction.**

26 ...

27 (a1) A person who does any of the following is responsible for an infraction:

28 (1) ~~Fails to carry the registration card in the vehicle, in violation of G.S. 20-57(c).~~

29 ...

30 (3) Fails to notify the Division of an address ~~change for a vehicle registration card~~
31 ~~within 60 days after the change occurs, change~~ in violation of G.S. 20-67.

32"

33 **SECTION 43.10.(ee)** G.S. 20-183.4C reads as rewritten:

34 **"§ 20-183.4C. When a vehicle must be inspected; 10-day temporary license plate.**

35 (a) Inspection. – A vehicle that is subject to a safety inspection, an emissions inspection,
36 or both must be inspected as follows:

37 ...

38 (7) A vehicle that is required to be inspected in accordance with this Part may be
39 inspected 90 days prior to midnight of the last day of the month ~~as designated~~
40 ~~by the vehicle registration sticker~~ the vehicle's registration expires.

41"

42 **SECTION 43.10.(ff)** G.S. 20-183.4D reads as rewritten:

43 **"§ 20-183.4D. Procedure when a vehicle is inspected.**

44 ...

45 (e) When Electronic Inspection Authorization Expires. – An electronic inspection
46 authorization issued under this Part expires at midnight of the last day of the month ~~designated~~
47 ~~by the vehicle registration sticker of the following year~~ the vehicle's registration expires."

48 **SECTION 43.10.(gg)** G.S. 20-311 reads as rewritten:

49 **"§ 20-311. Action by the Division when notified of a lapse in financial responsibility.**

50 ...

1 (d) Revocation Notice. – When the Division revokes the registration of an owner's
2 vehicle, it shall notify the owner of the revocation. The notice shall inform the owner of the
3 following:

- 4 (1) That the owner shall return the vehicle's registration plate ~~and registration card~~
5 to the Division, if the owner has not done so already, and that failure to do so
6 is a Class 2 misdemeanor under G.S. 20-45.
7 (2) That the vehicle's registration plate ~~and registration card are~~ is subject to
8 seizure by a law enforcement officer.
9

10 (g) Military Waiver. – Notwithstanding the penalty and restoration fee provisions of this
11 section, any monetary penalty or restoration fee shall be waived for any person who, at the time
12 of notification of a lapse in financial responsibility, was deployed as a member of the Armed
13 Forces of the United States outside of the continental United States for a total of 45 or more days.
14 In addition, no insurance points under the Safe Driver Incentive Plan shall be assessed for any
15 violation for which a monetary penalty or restoration fee is waived pursuant to this subsection.
16 All of the following apply to a person qualifying under this subsection:

- 17 (1) The person shall have an affirmative defense to any criminal charge based
18 upon the failure to return ~~any registration card or a~~ registration plate to the
19 Division.
20 (2) Upon reregistration, the person shall receive without cost from the Division
21 all necessary ~~registration cards~~ notices of electronic registration or registration
22 plates.
23

23"

24 **SECTION 43.10.(hh)** G.S. 20-401 reads as rewritten:

25 **"§ 20-401. Regulation of fully autonomous vehicles.**

26 ...
27 (b) ~~Vehicle Registration Card in Vehicle.~~—For a fully autonomous vehicle, the
28 provisions of G.S. 20-49(4) and G.S. 20-57(c) are satisfied if the vehicle registration card is in
29 the vehicle, physically or electronically, and readily available to be inspected by an officer or
30 inspector.
31

32 (h) Operation. – A person may operate a fully autonomous vehicle if the vehicle meets
33 all of the following requirements:
34

- 35 (5) The vehicle is registered in accordance with Part 3 of Article 3 of this Chapter,
36 and, if registered in this State, the vehicle shall be identified on the ~~registration~~
37 ~~and registration card~~ electronic record of registration as a fully autonomous
38 vehicle.
39

39"

40 **SECTION 43.10.(ii)** G.S. 105-330.4 reads as rewritten:

41 **"§ 105-330.4. Due date, interest, and enforcement remedies.**

42 (a) Due Date. – The registration of a classified motor vehicle may not be issued unless a
43 temporary registration plate is issued for the motor vehicle under G.S. 20-79.1A or the taxes for
44 the motor vehicle's tax year that begins after the issuance of the registration are paid upon
45 registration. A registration of a classified motor vehicle may not be renewed unless the taxes for
46 the motor vehicle's tax year that begins after the registration expires are paid upon registration.
47 If the registration of a classified motor vehicle is renewed earlier than the date the taxes are due,
48 the taxes must be paid as if they were due. Taxes on a classified motor vehicle are due as follows:
49

- 50 (1) For an unregistered classified motor vehicle, the taxes are due on September
1 following the date by which the vehicle was required to be listed.

- 1 (2) For a registered classified motor vehicle that is registered under the staggered
- 2 system, the taxes are due each year on the date the owner applies for a new
- 3 registration or the fifteenth day of the month following the month in which the
- 4 registration renewal ~~sticker~~ expires pursuant to G.S. 20-66(g).
- 5 (3) For a registered classified motor vehicle that is registered under the annual
- 6 system, taxes are due on the date the owner applies for a new registration or
- 7 45 days after the registration expires.
- 8 (4) For a registered classified motor vehicle that has a temporary registration plate
- 9 issued under G.S. 20-79.1 or a limited registration plate issued under
- 10 G.S. 20-79.1A, the taxes are due on the last day of the second month following
- 11 the date the owner applied for the plate.

12 "

13 **SECTION 43.10.(jj)** This section becomes effective October 1, 2025, and applies to
 14 motor vehicle registrations and registration renewals applied for on or after that date.

15
 16 **TRANSFER CERTAIN NONSWORN PERSONNEL FROM THE LICENSE AND**
 17 **THEFT BUREAU OF THE DEPARTMENT OF TRANSPORTATION TO THE**
 18 **STATE HIGHWAY PATROL**

19 **SECTION 43.11.** The following positions, including the salaries, property, and other
 20 funds allocated for the positions, are transferred from the Department of Transportation, Division
 21 of Motor Vehicles License and Theft Bureau, to the State Highway Patrol:

| <u>Position</u> | <u>Position Number</u> |
|---|------------------------|
| 22 Program Coordinator III | 60030052 |
| 23 Administrative Specialist II | 60030907 |
| 24 Administrative Specialist I | 60031075 |
| 25 Program Analyst I | 60031189 |
| 26 Program Analyst I | 60031341 |
| 27 Administrative Specialist II | 60029790 |
| 28 Administrative Specialist I | 60031033 |
| 29 Program Coordinator II | 60030760 |
| 30 Program Coordinator II | 60030921 |
| 31 Electronics Technician II | 60030924 |
| 32 Administrative Specialist I | 60030909 |
| 33 Program Coordinator III | 60092620 |
| 34 Program Coordinator III | 60030920 |
| 35 Program Coordinator III | 60030933 |
| 36 Program Coordinator III | 60090052 |
| 37 Program Supervisor I | 60092613 |
| 38 Program Supervisor I | 60092614 |
| 39 Program Coordinator III | 60092615 |
| 40 Program Coordinator III | 60092616 |
| 41 Program Coordinator III | 60092617 |
| 42 Program Coordinator III | 60092618 |
| 43 Program Coordinator III | 60092619 |
| 44 Program Coordinator III | 60030904 |
| 45 Program Coordinator III | 60092622 |
| 46 Program Coordinator III | 60092623 |
| 47 Program Coordinator III | 60092625 |
| 48 Program Coordinator III | 60092626 |
| 49 Program Coordinator III | 60092627 |
| 50 Program Coordinator I | 60029918 |

| | | |
|----|-----------------------------|----------|
| 1 | Program Supervisor I | 60030890 |
| 2 | Program Coordinator III | 60030922 |
| 3 | Program Coordinator I | 60031074 |
| 4 | Program Coordinator I | 60031114 |
| 5 | Program Coordinator I | 60031142 |
| 6 | Program Coordinator I | 60031143 |
| 7 | Administrative Specialist I | 60030847 |
| 8 | Program Coordinator III | 60030894 |
| 9 | Administrative Specialist I | 60030899 |
| 10 | Program Supervisor I | 60030917 |
| 11 | Administrative Specialist I | 60030934 |
| 12 | Administrative Specialist I | 60031312 |
| 13 | Program Coordinator III | 65037940 |
| 14 | Program Coordinator III | 65037942 |
| 15 | Program Supervisor I | 65037786 |
| 16 | Program Coordinator III | 65037941 |
| 17 | Program Supervisor I | 60030929 |
| 18 | Program Coordinator III | 60030844 |
| 19 | Program Coordinator I | 60030893 |
| 20 | Program Coordinator III | 60030898 |
| 21 | Program Coordinator III | 60031077 |
| 22 | Program Coordinator I | 60031284 |
| 23 | Program Coordinator I | 60031320 |
| 24 | Program Coordinator III | 60030916 |
| 25 | Program Coordinator III | 60030905 |
| 26 | Program Coordinator III | 60092628 |
| 27 | Program Coordinator III | 60092629 |
| 28 | Administrative Specialist I | 60030937 |
| 29 | Administrative Specialist I | 60030962 |
| 30 | Administrative Specialist I | 60029801 |
| 31 | Administrative Specialist I | 60031024 |
| 32 | Administrative Specialist I | 60030997 |
| 33 | Administrative Specialist I | 60031026 |
| 34 | Administrative Specialist I | 60030996 |
| 35 | Administrative Specialist I | 60031140 |
| 36 | Administrative Specialist I | 60030995 |
| 37 | Administrative Specialist I | 60031193 |
| 38 | Program Coordinator III | 60031112 |
| 39 | Program Coordinator III | 60031115 |
| 40 | Administrative Specialist I | 60031076 |

**EXTEND DURATION OF SAFETY INSPECTIONS FOR LARGE VOLUME RENTAL
CAR COMPANIES**

SECTION 43.12.(a) G.S. 20-183.2 reads as rewritten:

"§ 20-183.2. Description of vehicles subject to safety or emissions inspection; definitions.

...

(c) Definitions. – The following definitions apply in this Part:

...

(4) Large volume rental company vehicle. – A vehicle that is both of the following:

a. Rented or leased to the public.

b. One of a fleet of not less than 10,000 vehicles registered and titled in this State by a rental car company, as defined in G.S. 66-201."

SECTION 43.12.(b) G.S. 20-183.4C reads as rewritten:

"§ 20-183.4C. When a vehicle must be inspected; 10-day temporary license plate.

(a) Inspection. – A vehicle that is subject to a safety inspection, an emissions inspection, or both must be inspected as follows:

...
(6) ~~A~~Except as otherwise provided by this subdivision, a vehicle that has been inspected in accordance with this Part must be inspected by the last day of the month in which the registration on the vehicle expires. A large volume rental company vehicle that has been inspected in accordance with this Part must be inspected by the last day of the month in which the registration on the vehicle expires in the third year after its last electronic safety inspection authorization was issued.

...."

SECTION 43.12.(c) G.S. 20-183.4D reads as rewritten:

"§ 20-183.4D. Procedure when a vehicle is inspected.

...
(e) When Electronic Inspection Authorization Expires. – ~~An~~Except as otherwise provided by this subsection, an electronic inspection authorization issued under this Part expires at midnight of the last day of the month designated by the vehicle registration sticker of the following year. An electronic safety inspection authorization issued to a large volume rental company vehicle expires at midnight on the last day of the month in which the registration on the vehicle expires in the third year after its last electronic safety inspection authorization was issued.

SECTION 43.12.(d) G.S. 20-183.7 reads as rewritten:

"§ 20-183.7. Fees for performing an inspection and issuing an electronic inspection authorization to a vehicle; use of civil penalties.

(a) Fee Amount. – When a fee applies to an inspection of a vehicle or the issuance of an electronic inspection authorization, the fee must be collected. ~~The~~Except as otherwise provided by subsection (a1) of this section, the following fees apply to an inspection of a vehicle and the issuance of an electronic inspection authorization:

| <u>Type</u> | <u>Inspection</u> | <u>Authorization</u> |
|----------------------|-------------------|----------------------|
| Safety Only | \$12.75 | \$.85 |
| Emissions and Safety | 23.75 | 6.25. |

The fee for performing an inspection of a vehicle applies when an inspection is performed, regardless of whether the vehicle passes the inspection. The fee for an electronic inspection authorization applies when an electronic inspection authorization is issued to a vehicle. The fee for inspecting after-factory tinted windows shall be ten dollars (\$10.00), and the fee applies only to an inspection performed with a light meter after a safety inspection mechanic determined that the window had after-factory tint. A safety inspection mechanic shall not inspect an after-factory tinted window of a vehicle for which the Division has issued a medical exception permit pursuant to G.S. 20-127(f).

A vehicle that is inspected at an inspection station and fails the inspection is entitled to be reinspected at the same station at any time within 60 days of the failed inspection without paying another inspection fee.

The inspection fee for an emissions and safety inspection set out in this subsection is the maximum amount that an inspection station or an inspection mechanic may charge for an emissions and safety inspection of a vehicle. An inspection station or an inspection mechanic may charge the maximum amount or any lesser amount for an emissions and safety inspection of a vehicle. The inspection fee for a safety only inspection set out in this subsection may not be

1 increased or decreased. The authorization fees set out in this subsection and subsection (a1) of
 2 this section may not be increased or decreased.

3 (a1) The authorization fee for a safety inspection of a large volume rental company vehicle
 4 shall be the amount set forth in subsection (a) of this section multiplied by three. The fee shall be
 5 distributed as three authorization fees, in accordance with subsection (c) of this section.

6"
 7

8 FERRY DRY DOCK USE OF FUNDS REPORT

9 **SECTION 43.13.** No later than October 1, 2025, and quarterly thereafter until the
 10 funds are expended, the Ferry Division shall submit a progress report to the Joint Legislative
 11 Transportation Oversight Committee and the Fiscal Research Division on the use of funds
 12 appropriated by this act to the Ferry Division for marine vessel dry docking. The report shall
 13 include the following information by fiscal year:

- 14 (1) A list of all marine vessels scheduled or under contract for dry docking.
- 15 (2) The estimated cost of the work to be completed for each marine vessel sent to
 16 a private shipyard for dry dock.
- 17 (3) The actual cost of the work and the total funds used as of the report date.

18 SOUTH DOCK FERRY TERMINAL

19 **SECTION 43.14.** Notwithstanding any provision of law or the Committee Report
 20 described in Section 43.2 of S.L. 2023-134 to the contrary, the sum of one million five hundred
 21 thousand dollars (\$1,500,000) in nonrecurring funds for the 2023-2024 fiscal year allocated to
 22 build stacking lanes and a concrete barrier on NC 12 at the South Dock Ferry Terminal on
 23 Ocracoke shall instead be used for ramp rehabilitation on the South Dock Ferry Terminal to
 24 address safety and reliability concerns.
 25

26 FERRY TOLLS

27 **SECTION 43.15.(a)** G.S. 136-82 reads as rewritten:

28 "**§ 136-82. Department of Transportation to establish and maintain ferries.**

29 ...
 30

31 (b) Tolling of ~~Certain Ferry Routes.~~ – The Board of Transportation shall establish tolls
 32 ~~on the passenger-only Hatteras-Ocracoke ferry route. The Board of Transportation shall continue~~
 33 ~~tolling the following for all ferry routes: routes in accordance with the fee schedule in~~
 34 G.S. 136-82.3.

- 35 (1) ~~Southport-Fort Fisher.~~
- 36 (2) ~~Cedar Island-Ocracoke.~~
- 37 (3) ~~Swan Quarter-Ocracoke.~~

38 (b1) ~~Untolled Ferry Routes.~~—Except as provided in subsection (b) of this section, ferry
 39 routes are exempt from tolls. The Board of Transportation shall not establish tolls on a ferry route
 40 exempt from tolls.

41 (b2) Emergency Suspension of Tolling. – The Secretary of Transportation may suspend
 42 the collection of tolls for any ferry route serving an emergency area, as declared pursuant to
 43 G.S. 166A-19.20 or G.S. 166A-19.22, for the duration of the state of emergency.

44 (e) ~~Revisions of Tolls.~~—~~The Board of Transportation may change toll rates or toll setting~~
 45 ~~methodology. The Department of Transportation shall report to the Fiscal Research Division, the~~
 46 ~~Joint Legislative Transportation Oversight Committee, and all affected local transportation~~
 47 ~~planning organizations 30 days prior to any change in toll rates or change in the toll setting~~
 48 ~~methodology by the Board of Transportation.~~

49 ...

50 (f3) ~~Priority Boarding Fee for Certain Vehicles.~~—~~For a vehicle providing commercial~~
 51 ~~goods and services, the Department of Transportation shall charge an annual fee of one hundred~~

fifty dollars (\$150.00) for an annual pass that entitles the vehicle issued the annual pass to priority when boarding a ferry vessel. Only one annual pass per vehicle shall be issued per year. Except as authorized under this subsection, the Department of Transportation shall not provide priority boarding to a ferry vessel to any vehicle providing commercial goods and services.

...."

SECTION 43.15.(b) Article 6 of Chapter 136 of the General Statutes is amended by adding a new section to read:

"§ 136-82.3. Schedule of ferry tolling fees.

(a) The following table sets out the tolls for ferry routes according to the route destination and vehicle size:

| <u>Ferry Route</u> | <u>Passenger</u> | <u>Vehicle less than 20 ft.</u> | <u>Vehicle greater than 20 ft.</u> |
|--------------------------------|------------------|---------------------------------|------------------------------------|
| <u>Bayview-Aurora</u> | <u>\$1.00</u> | <u>\$3.00</u> | <u>\$6.00</u> |
| <u>Cherry Branch-Minnesott</u> | <u>\$1.00</u> | <u>\$5.00</u> | <u>\$10.00</u> |
| <u>Currituck-Knotts Island</u> | <u>\$1.00</u> | <u>\$3.00</u> | <u>\$6.00</u> |
| <u>Hatteras-Ocracoke</u> | <u>\$1.00</u> | <u>\$20.00</u> | <u>\$40.00</u> |
| <u>Cedar Island-Ocracoke</u> | <u>\$2.00</u> | <u>\$30.00</u> | <u>\$60.00</u> |
| <u>Southport-Fort Fisher</u> | <u>\$2.00</u> | <u>\$10.00</u> | <u>\$20.00</u> |
| <u>Swan Quarter-Ocracoke</u> | <u>\$2.00</u> | <u>\$30.00</u> | <u>\$60.00</u> |
| <u>Ocracoke Express</u> | <u>\$15.00</u> | | |

(b) Vehicle Occupants. – Individuals paying a toll for a vehicle are not required to pay separate passenger tolls for vehicle occupants.

(c) Priority Boarding Pass. – For a vehicle providing commercial goods and services, the Department of Transportation shall charge an annual fee of one hundred fifty dollars (\$150.00) for an annual pass that entitles the vehicle issued the annual pass to priority when boarding a ferry vessel. Only one annual pass per vehicle shall be issued per year. Except as authorized under this subsection, the Department of Transportation shall not provide priority boarding to a ferry vessel to any vehicle providing commercial goods and services.

(d) Commuter Boarding Pass. – The Department of Transportation shall charge an annual fee of one hundred fifty dollars (\$150.00) for a commuter pass that entitles the vehicle issued the annual pass to travel on any ferry route with no additional fees. Only one annual pass per vehicle shall be issued per year."

NORTH CAROLINA RAILROAD DIVIDEND

SECTION 43.16. G.S. 124-18, as it existed before it was repealed by Section 4.4(b) of S.L. 2019-231, is reenacted and reads as rewritten:

"§ 124-18. Dividends required of State-owned railroad company.

1 Any State-owned railroad company that has trackage in more than two counties shall issue
 2 an annual cash dividend to the State. The dividend shall be deposited in the Freight Rail & Rail
 3 Crossing Safety Improvement Fund within the Highway Fund. The amount of the annual
 4 dividend is twenty-five percent (25%) of the company's income from the prior year's trackage
 5 rights agreements. The dividend is due by February 15 of each year, and interest shall accrue at
 6 the annual rate of prime plus one percent (1%) if the payment is not paid by the due date. The
 7 Directors of any State-owned railroad company who vote for or assent to the dividend required
 8 under this section shall not be held liable under G.S. 55-8-33."

9
 10 **DOT/RELOCATION OF LAWFULLY EXISTING OUTDOOR ADVERTISING SIGN**
 11 **CHANGES**

12 **SECTION 43.17.** G.S. 136-131.5 reads as rewritten:

13 **"§ 136-131.5. Relocation of lawfully existing outdoor advertising sign.**

14 (a) Subject to subsection (c) of this section, in order to minimize the amount of just
 15 compensation due, whenever property on which a lawfully erected outdoor advertising sign is
 16 located is acquired by a public or private condemnor, as defined in G.S. 40A-3, or the Department
 17 of Transportation, and the acquiring party requires removal of the sign, or whenever the
 18 construction of a sound barrier wall would impair the visibility of a lawfully erected outdoor
 19 advertising sign, the eligible sign is permitted to be relocated and ~~reconstructed, subject to all of~~
 20 ~~the following requirements:~~ reconstructed. For relocated signs that are subject to the jurisdiction
 21 of the Department of Transportation in accordance with this Article, the follow relocation and
 22 reconstruction conditions shall apply:

- 23 (1) The new site for relocation is permitted to be any area within 660 feet of the
 24 nearest edge of the right-of-way of a highway on the National System of
 25 Interstate and Defense Highways or the federal aid primary highway system
 26 within the same zoning jurisdiction as the relocated site or, if the relocated site
 27 is within an unzoned city or county, then within the same territorial limits.
 28 (2) The new site for relocation must be conforming to State standards as set forth
 29 in this Article and pursuant to rules and regulations promulgated by the
 30 Department as authorized by this Article.
 31 (3) The new site for relocation must be along a highway on the interstate system
 32 or primary systems or other State road that has the same route number and
 33 letter or one of the same route numbers and letters as the highway or State
 34 road adjacent to the relocated site.
 35 (4) The reconstruction of the outdoor advertising sign at the new site shall comply
 36 with G.S. 136-131.2.
 37 (5) The new site for relocation shall not be within an historic district lawfully
 38 established by a local city or county government pursuant to Part 4 of Article
 39 9 of Chapter 160D of the General Statutes, unless consented to by a resolution
 40 adopted by the applicable local governing board.
 41 (6) The new site for relocation shall not be adjacent to any scenic highway as
 42 provided in G.S. 136-129.2; provided, however, if a relocated sign is already
 43 adjacent to a scenic highway, it may be relocated within the same parcel.
 44 (7) The construction work related to the relocation of the outdoor advertising sign
 45 shall commence within one year after the date of removal.

46 The express allowances of relocation and reconstruction in this section shall apply to any
 47 lawfully erected outdoor advertising sign anywhere within this State that is required to be
 48 removed as a result of action taken by a public or private condemnor, as defined in G.S. 40A-3,
 49 or the Department of Transportation, including ~~such signs that are~~ any billboard that is not subject
 50 to the jurisdiction of the Department ~~of Transportation~~ located along a State road so long as the
 51 affected sign is relocated and reconstructed within the same parcel or, if outside the parcel, to a

1 commercially or industrially zoned property or, if unzoned, a commercially or industrially used
 2 property, and within the same territorial limits and the sign owner complies with subdivisions (3)
 3 through (7) of this subsection, except that a Department permit is not required to be in effect.

4 (b) Subject to subsection (c) of this section, any outdoor advertising sign that does not
 5 otherwise qualify for relocation as provided in subsection (a) of this section and for which there
 6 is in effect a valid permit issued by the Department of Transportation pursuant to this Article is
 7 permitted to be relocated and reconstructed subject to all of the requirements listed in
 8 subdivisions (1) through (7) of subsection (a) of this section within the same parcel or an
 9 adjoining conforming parcel. No sign shall be relocated pursuant to this subsection within 10
 10 years from the date of the last relocation pursuant to this subsection, however, this temporal
 11 limitation does not apply to relocations within the same parcel. For purposes of this Section, the
 12 phrase "adjoining conforming parcel" shall mean a new site for relocation that conforms to State
 13 standards and is located next to the prior site, including a parcel separated from the prior site only
 14 by an intervening street, alley, railroad, utility, or other similar right-of-way, or an intervening
 15 river, creek, marshland, or other water body.

16"

17
 18 **PART XLIV. FINANCE**

19
 20 **PERSONAL INCOME TAX REDUCTIONS**

21 **SECTION 44.1.(a)** Effective retroactively to October 3, 2023, G.S. 105-153.7 reads
 22 as rewritten:

23 **"§ 105-153.7. Individual income tax imposed.**

24 (a) Tax. – A tax is imposed for each taxable year on the North Carolina taxable income
 25 of every individual. The tax shall be levied, collected, and paid annually. ~~Except as otherwise~~
 26 ~~provided in subsection (a1) of this section, the~~ The tax is a percentage of the taxpayer's North
 27 Carolina taxable income computed as follows:

| Taxable Years Beginning | Tax |
|-------------------------|--------|
| In 2022 | 4.99% |
| In 2023 | 4.75% |
| In 2024 | 4.5% |
| In 2025 | 4.25% |
| After 2025 | 3.99%. |

33
 34 (a1) ~~Rate Reduction Trigger.—Notwithstanding the tax rates set out in subsection (a) of~~
 35 ~~this section, if total General Fund revenue in a fiscal year set out below exceeds the trigger~~
 36 ~~amount indicated for that fiscal year, then the applicable tax rate for the indicated and subsequent~~
 37 ~~tax years shall be equal to the greater of (i) the prior taxable year's rate decreased by one half~~
 38 ~~percentage point (0.50%) or (ii) two and forty nine hundredths percent (2.49%). For purposes of~~
 39 ~~this subsection, total General Fund revenue is the amount stated in the final accounting of total~~
 40 ~~General Fund Reverting Net Tax and Non-Tax Revenues for the fiscal year, as reported by the~~
 41 ~~Office of State Controller in August following the end of the fiscal year.~~

| Fiscal Year | Trigger Amount | Taxable Year Beginning |
|-------------------------|------------------|------------------------|
| FY 2025-2026 | \$33,042,000,000 | In 2027 |
| FY 2026-2027 | \$34,100,000,000 | In 2028 |
| FY 2027-2028 | \$34,760,000,000 | In 2029 |
| FY 2028-2029 | \$35,750,000,000 | In 2030 |
| FY 2029-2030 | \$36,510,000,000 | In 2031 |
| FY 2030-2031 | \$38,000,000,000 | In 2032 |
| FY 2031-2032 | \$38,500,000,000 | In 2033 |
| FY 2032-2033 | \$39,000,000,000 | In 2034 |

50
 51"

1 **SECTION 44.1.(b)** G.S. 105-153.7, as amended by subsection (a) of this section,
 2 reads as rewritten:

3 **"§ 105-153.7. Individual income tax imposed.**

4 (a) Tax. – A tax is imposed for each taxable year on the North Carolina taxable income
 5 of every individual. The tax shall be levied, collected, and paid annually. The tax is a percentage
 6 of the taxpayer's North Carolina taxable income computed as follows:

| Taxable Years Beginning | Tax |
|-------------------------|-------------------|
| In 2022 | 4.99% |
| In 2023 | 4.75% |
| In 2024 | 4.5% |
| In 2025 | 4.25% |
| After 2025 | 3.99%. |
| <u>In 2026</u> | <u>3.99%</u> |
| <u>In 2027</u> | <u>3.49%</u> |
| <u>After 2027</u> | <u>2.99%.</u> |

16 ...

17 (a2) Rate Reduction Trigger. – Notwithstanding the tax rates set out in subsection (a) of
 18 this section, if total General Fund revenue in a fiscal year as set out below exceeds the trigger
 19 amount indicated for that fiscal year, then the applicable tax rate for the indicated and subsequent
 20 tax years shall be the prior taxable year's rate decreased by one-half percentage point (0.50%) for
 21 the first rate reduction under this subsection and by one-quarter percentage point (0.25%) for
 22 each subsequent rate reduction under this subsection However, in no instance may the tax rate
 23 authorized under this section be lower than one and ninety-nine hundredths percent (1.99%). For
 24 purposes of this subsection, total General Fund revenue is the amount stated in the final
 25 accounting of total General Fund Reverting Net Tax and Non-Tax Revenues for the fiscal year,
 26 as reported by the Office of State Controller in August following the end of the fiscal year.

| <u>Fiscal Year</u> | <u>Trigger Amount</u> | <u>Taxable Year Beginning</u> |
|---------------------|-------------------------|-------------------------------|
| <u>FY 2027-2028</u> | <u>\$34,760,000,000</u> | <u>In 2029</u> |
| <u>FY 2028-2029</u> | <u>\$35,750,000,000</u> | <u>In 2030</u> |
| <u>FY 2029-2030</u> | <u>\$36,510,000,000</u> | <u>In 2031</u> |
| <u>FY 2030-2031</u> | <u>\$38,000,000,000</u> | <u>In 2032</u> |
| <u>FY 2031-2032</u> | <u>\$38,500,000,000</u> | <u>In 2033</u> |
| <u>FY 2032-2033</u> | <u>\$39,000,000,000</u> | <u>In 2034</u> |
| <u>FY 2033-2034</u> | <u>\$39,500,000,000</u> | <u>In 2035</u> |
| <u>FY 2034-2035</u> | <u>\$40,000,000,000</u> | <u>In 2036</u> |

36"

37 **SECTION 44.1.(c)** Except as otherwise provided, this section is effective when it
 38 becomes law.

39 **EXCLUDE CREDIT FOR TRADE-INS FROM SALES TAX**

40 **SECTION 44.2.(a)** G.S. 105-164.3(237) reads as rewritten:

41 "(237) Sales price. – The total amount or consideration for which an item is sold,
 42 leased, or rented. The consideration may be in the form of cash, credit,
 43 property, or services. The sales price must be valued in money, regardless of
 44 whether it is received in money.

45 a. The term includes all of the following:

- 46 1. The retailer's cost of the item sold.
- 47 2. The cost of materials used, labor or service costs, interest,
 48 losses, all costs of transportation to the retailer, all taxes
 49 imposed on the retailer, and any other expense of the retailer.

- 1 3. Charges by the retailer for any services necessary to complete
- 2 the sale.
- 3 4. Delivery charges.
- 4 5. Installation charges.
- 5 6. Repealed by Session Laws 2007-244, s. 1, effective October 1,
- 6 2007.
- 7 ~~7. Credit for trade-in. The amount of any credit for trade-in is not~~
- 8 ~~a reduction of the sales price.~~
- 9 8. The amount of any discounts that are reimbursable by a third
- 10 party and can be determined at the time of sale through any of
- 11 the following:
- 12 I. Presentation by the consumer of a coupon or other
- 13 documentation.
- 14 II. Identification of the consumer as a member of a group
- 15 eligible for a discount.
- 16 III. The invoice the retailer gives the consumer.
- 17 b. The term does not include any of the following:
- 18 1. Discounts that are not reimbursable by a third party, are
- 19 allowed by the retailer, and are taken by a consumer on a sale.
- 20 2. Interest, financing, and carrying charges from credit extended
- 21 on the sale, if the amount is separately stated on the invoice,
- 22 bill of sale, or a similar document given to the consumer.
- 23 3. Any taxes imposed directly on the consumer that are separately
- 24 stated on the invoice, bill of sale, or similar document given to
- 25 the consumer.
- 26 4. Credit for any trade-in that is separately stated on the invoice,
- 27 bill of sale, or similar document given to the consumer."

28 **SECTION 44.2.(b)** This section is effective January 1, 2026, and applies to sales
 29 occurring on or after that date.

30
 31 **INCREASE TAX BASE AMOUNT TO WHICH MAXIMUM FRANCHISE TAX**
 32 **APPLIES FOR BOTH S AND C CORPORATIONS**

33 **SECTION 44.3.(a)** G.S. 105-122(d2) reads as rewritten:

34 "(d2) Tax Rate. – For a C Corporation, as defined in G.S. 105-130.2, the tax rate is one
 35 dollar and fifty cents (\$1.50) per one thousand dollars (\$1,000) of its tax base with a minimum
 36 of two hundred dollars (\$200.00) and a maximum of five hundred dollars (\$500.00) for the first
 37 one-five million dollars (\$1,000,000)-(\$5,000,000) of the corporation's-its tax base as determined
 38 under subsection (d) of this section.-base. For an S Corporation, as defined in G.S. 105-130.2,
 39 the tax rate is two hundred dollars (\$200.00) for the first one-five million dollars (\$1,000,000)
 40 (\$5,000,000) of the corporation's-its tax base as determined under subsection (d) of this section
 41 and one dollar and fifty cents (\$1.50) per one thousand dollars (\$1,000) of its tax base that
 42 exceeds one-five million dollars (\$1,000,000). In no event may the tax imposed by this section
 43 be less than two hundred dollars (\$200.00)-(\$5,000,000). For purposes of this subsection, a
 44 corporation's tax base is determined under subsection (d) of this section."

45 **SECTION 44.3.(b)** G.S. 105-120.2(b) reads as rewritten:

46 "(b) Tax Rate. – Every corporation taxed under this section shall annually pay to the
 47 Secretary of Revenue, at the time the return is due, a franchise or privilege tax at the rate ~~of one~~
 48 ~~dollar and fifty cents (\$1.50) per one thousand dollars (\$1,000) of its tax base with a maximum~~
 49 ~~of five hundred dollars (\$500.00) for the first one million dollars (\$1,000,000) of the corporation's~~
 50 ~~tax base as determined under subsection (a) of this section, set forth in G.S. 105-122(d2), but in~~

1 no case shall the tax be more than one hundred fifty thousand dollars (\$150,000) nor less than
2 two hundred dollars (\$200.00)."

3 **SECTION 44.3.(c)** This section is effective for taxable years beginning on or after
4 January 1, 2026, and is applicable to the calculation of franchise tax reported on the 2025 and
5 later corporate income tax returns.

6 **INCREASE TAX RATE ON INTERACTIVE SPORTS WAGERING OPERATORS**

7 **SECTION 44.4.(a)** G.S. 105-113.126(a) reads as rewritten:

8
9 "(a) Tax. – A tax at the rate of ~~eighteen percent (18%)~~ thirty-six percent (36%) is imposed
10 on each interactive sports wagering operator for the privilege of being licensed under Article 9
11 of Chapter 18C of the General Statutes. The tax applies to the gross wagering revenue of the
12 interactive sports wagering operator."

13 **SECTION 44.4.(b)** This section becomes effective October 1, 2025, and applies to
14 gross wagering revenue received on or after that date.

15 **MODIFY SPORTS WAGERING REVENUE DISTRIBUTION**

16 **SECTION 44.5.(a)** G.S. 105-113.128 reads as rewritten:

17 **"§ 105-113.128. Use of tax proceeds.**

18
19 The Secretary shall distribute the taxes collected under this Article, less the allowance to the
20 Department of Revenue and reimbursement to the Lottery Commission for administrative
21 expenses, in accordance with this section. The Secretary may retain the cost of administering this
22 Article, not to exceed five hundred thousand dollars (\$500,000) a year, as reimbursement to the
23 Department. The Lottery Commission shall, no later than 20 days after the end of the month,
24 notify the Department of its unreimbursed expenses from administering the provisions of Article
25 9 of Chapter 18C of the General Statutes from the previous month. The Department shall
26 reimburse the Lottery Commission from the tax revenues collected under this Article no later
27 than the end of the month in which the Department was notified. The Secretary shall credit the
28 remainder of the net proceeds of the tax collected under this Article ~~are to be credited~~ in the
29 following priority:

- 30 (1) Two million dollars (\$2,000,000) annually to the Department of Health and
31 Human Services for gambling addiction education and treatment programs.
- 32 (2) One million dollars (\$1,000,000) annually to North Carolina Amateur Sports
33 to expand opportunities for persons up to age 18 to engage in youth sports,
34 which shall be distributed through a grant program. In making individual
35 grants, North Carolina Amateur Sports shall comply with the following:
- 36 a. Awards shall be used to provide for the purchase of youth sports
37 equipment, or to provide for public facility upgrades or improvements
38 which would benefit youth sports.
- 39 b. Awards may be given only to applicants who are either local
40 governments, including local school administrative units, or nonprofit
41 organizations exempt from taxation under section 501(c)(3) of the
42 Internal Revenue Code.
- 43 c. Awards may be given only to applicants who demonstrate that a
44 primary purpose for the funding is to facilitate opportunities for
45 persons up to age 18 to engage in youth sports.
- 46 d. The total dollar amount awarded each year to all applicants in any one
47 county may not exceed one percent (1%) of the total funding available
48 on July 1 of that year.
- 49 (3) ~~Three hundred thousand dollars (\$300,000)~~ The following amounts annually
50 ~~shall be appropriated~~ shall be appropriated to each of the institutions as provided and listed in this
51 subdivision to support collegiate athletic departments. If there are not

1 sufficient funds for each of these institutions to receive an appropriation of
2 three hundred thousand dollars (\$300,000), the amount of each appropriation
3 shall be reduced by the same proportion so that all institutions receive an
4 appropriation of the same amount. the designated amount, the amounts shall
5 be proportionally reduced. The amounts and corresponding institutions are
6 listed as follows:

- 7 a. ~~Appalachian State University.~~ Five hundred thousand dollars
8 (\$500,000) each to (i) Elizabeth City State University, (ii) Fayetteville
9 State University, (iii) University of North Carolina at Pembroke, and
10 (iv) Winston-Salem State University.
11 b. ~~East Carolina University.~~ One million dollars (\$1,000,000) each to (i)
12 North Carolina Agricultural & Technical State University, (ii) North
13 Carolina Central University, (iii) University of North Carolina at
14 Asheville, (iv) University of North Carolina at Greensboro, (v)
15 University of North Carolina at Wilmington, and (vi) Western
16 Carolina University.
17 c. ~~Elizabeth City State University.~~ One million five hundred thousand
18 dollars (\$1,500,000) each to (i) Appalachian State University, (ii) East
19 Carolina University, and (iii) University of North Carolina at
20 Charlotte.
21 d. ~~Fayetteville State University.~~
22 e. ~~North Carolina Agricultural & Technical State University.~~
23 f. ~~North Carolina Central University.~~
24 g. ~~University of North Carolina at Asheville.~~
25 h. ~~University of North Carolina at Charlotte.~~
26 i. ~~University of North Carolina at Greensboro.~~
27 j. ~~University of North Carolina at Pembroke.~~
28 k. ~~University of North Carolina at Wilmington.~~
29 l. ~~Western Carolina University.~~
30 m. ~~Winston-Salem State University.~~

31 (4) One million dollars (\$1,000,000) annually to the North Carolina Youth
32 Outdoor Engagement Commission for grants, in the discretion of the
33 Commission, as follows:

- 34 a. Grants not to exceed five thousand dollars (\$5,000) per sporting team
35 or group per county per year requesting grant assistance to travel to
36 in-State or out-of-state sporting events.
37 b. Incentive grants not to exceed twenty-five thousand dollars (\$25,000)
38 to attract State, regional, area, and national sporting events,
39 tournaments, and programs for nonprofessional sporting participants
40 in programs administered by city, county, and local school
41 administrative units, or appropriate nonprofit organizations exempt
42 from taxation under section 501(c)(3) of the Internal Revenue Code as
43 determined by the North Carolina Youth Outdoor Engagement
44 Commission.

45 (5) Of the remaining proceeds, as follows:

- 46 a. Twenty percent (20%) annually to be distributed equally among the
47 institutions listed in this sub-subdivision to support collegiate athletic
48 departments, not to supplant general funding to that institution. The
49 institutions are listed as follows:
50 1. Appalachian State University.
51 2. East Carolina University.

- 1 3. Elizabeth City State University.
- 2 4. Fayetteville State University.
- 3 5. North Carolina Agricultural & Technical State University.
- 4 6. North Carolina Central University.
- 5 7. University of North Carolina at Asheville.
- 6 8. University of North Carolina at Charlotte.
- 7 9. University of North Carolina at Greensboro.
- 8 10. University of North Carolina at Pembroke.
- 9 11. University of North Carolina at Wilmington.
- 10 12. Western Carolina University.
- 11 13. Winston-Salem State University.
- 12 b. Thirty percent (30%) annually ~~to split~~ as follows: (i) ten percent (10%)
- 13 each to the two public universities in this State with the largest athletic
- 14 department budgets and (ii) the remaining ten percent (10%) to the
- 15 North Carolina Major Events, Games, and Attractions Fund
- 16 established under G.S. 143B-437.112. Amounts to each university
- 17 included in this subdivision shall be used to support collegiate athletic
- 18 departments.
- 19 c. Fifty percent (50%) Proceeds not otherwise credited under this section,
- 20 annually to the General Fund."

21 **SECTION 44.5.(b)** This section becomes effective July 1, 2025, and applies to net
 22 proceeds credited on or after that date.

23
 24 **PART XLV. MISCELLANEOUS**

25
 26 **STATE BUDGET ACT APPLIES**

27 **SECTION 45.1.** The provisions of the State Budget Act, Chapter 143C of the
 28 General Statutes, are reenacted and shall remain in full force and effect and are incorporated in
 29 this act by reference.

30
 31 **COMMITTEE REPORT**

32 **SECTION 45.2.(a)** The Senate Committee on Appropriations/Base Budget Report
 33 on the Current Operations Appropriations Act of 2025 for Senate Bill 257 Proposed Committee
 34 Substitute, as amended, which was distributed in the Senate and used to explain this act, shall
 35 indicate action by the General Assembly on this act and shall, therefore, be used to construe this
 36 act, as provided in the State Budget Act, Chapter 143C of the General Statutes, as appropriate,
 37 and for these purposes shall be considered a part of this act and, as such, shall be printed as a part
 38 of the Session Laws.

39 **SECTION 45.2.(b)** The budget enacted by the General Assembly is for the
 40 maintenance of the various departments, institutions, and other spending agencies of the State
 41 for the 2025-2027 biennial budget as provided in G.S. 143C-3-5. This budget includes the
 42 appropriations of State funds as defined in G.S. 143C-1-1(d)(25).

43 The Director of the Budget submitted a recommended base budget to the General
 44 Assembly in the Governor's Recommended Budget for the 2025-2027 fiscal biennium, dated
 45 March 2025, and in the Budget Support Document for the various departments, institutions, and
 46 other spending agencies of the State. The adjustments to the recommended base budget made by
 47 the General Assembly are set out in the Committee Report.

48
 49 **REPORT BY FISCAL RESEARCH DIVISION**

50 **SECTION 45.3.** The Fiscal Research Division shall issue a report on budget actions
 51 taken by the 2025 Regular Session of the General Assembly. The report shall be in the form of a

1 revision of the Committee Report described in Section 45.2 of this act pursuant to G.S. 143C-5-5.
2 The Director of the Fiscal Research Division shall send a copy of the report issued pursuant to
3 this section to the Director of the Budget. The report shall be published on the General
4 Assembly's internet website for public access.
5

6 **MOST TEXT APPLIES ONLY TO THE 2025-2027 FISCAL BIENNIUM**

7 **SECTION 45.4.** Except for statutory changes or other provisions that clearly indicate
8 an intention to have effects beyond the 2025-2027 fiscal biennium, the textual provisions of this
9 act apply only to funds appropriated for, and activities occurring during, the 2025-2027 fiscal
10 biennium.
11

12 **APPROPRIATIONS LIMITATIONS AND DIRECTIONS APPLY**

13 **SECTION 45.5.** Except where expressly repealed or amended by this act, the
14 provisions of any legislation enacted during the 2025 Regular Session of the General Assembly
15 affecting the State budget shall remain in effect.
16

17 **EFFECT OF HEADINGS**

18 **SECTION 45.6.** The headings to the Parts, subparts, and sections of this act are a
19 convenience to the reader and are for reference only. The headings do not expand, limit, or define
20 the text of this act, except for effective dates referring to a Part or subpart.
21

22 **SEVERABILITY CLAUSE**

23 **SECTION 45.7.** If any section or provision of this act is declared unconstitutional
24 or invalid by the courts, it does not affect the validity of this act as a whole or any part other than
25 the part so declared to be unconstitutional or invalid.
26

27 **EFFECTIVE DATE**

28 **SECTION 45.8.** Except as otherwise provided, this act becomes effective July 1,
29 2025.