

COVID-19

See full summary documents for additional detail

H118 - COVID-19 Liability Safe Harbor. (SL 2020-89)

S.L. 2020-89 provides that no person is liable for any act or omission not amounting to gross negligence, willful or wanton conduct, or intentional wrongdoing in a claim alleging damages for contraction of COVID-19. This immunity does not apply to claims arising later than 180 days after the expiration or rescission of Executive Order No. 116, issued on March 10, 2020, and does not apply to workers' compensation claims.

The act requires persons to provide reasonable notice of actions taken by them to reduce the risk of COVID-19 transmission on premises owned by them or under their control. This requirement does not apply to premises owned by an individual unless the premises are used in operating a sole proprietorship.

The act does not affect any immunity granted under S.L. 2020-3 (Senate Bill 704).

The act became effective on July 2, 2020 and applies to claims arising on or after that date.

H158 - COVID-19 New Driver Response. (SL 2020-30)

S.L. 2020-30 does the following:

- Waives the road test requirement to obtain a Level 2 limited provisional license. A Level 2 limited provisional license holder who receives a waiver has to pass a road test in order to obtain a Level 3 full provisional license. The waiver provision expires when the Division resumes administering road tests.
- Provides accommodations for students enrolled in a driver education course in the spring semester of 2020.

This act became effective June 19, 2020.

H258 - Open Amusement Parks/Arcades/Venues. (Ratified)

OVERVIEW: House Bill 258 would have done the following:

- Authorize amusement parks, any fair or carnival, which is a member of the North Carolina Association of Agricultural Fairs, and gaming and business establishments with video games and arcade games to open and resume operations, provided specific conditions are met.
- Authorize existing venues for receptions or parties to resume operations, provided specific conditions are met.
- Authorize outdoor stadiums having a spectator capacity of 12,000 or less that are operating restaurants on the stadium premises to open and operate food and drink service for on-premises consumption, provided specific conditions are met.
- Allow the Governor, with a concurrence of the majority of the Council of State, to exercise emergency powers to exercise emergency powers with regard to amusement parks, gaming and

business establishments with video games and arcade games, any fair or carnival which is a member of the North Carolina Association of Agricultural Fairs, venues for receptions or parties, and outdoor stadiums that operate restaurants, provided the concurrence is documented and released.

- Require the Secretary of Health and Human Services or the Secretary of Environmental Quality to notify the Governor and obtain the concurrence of a majority of the Council of State before issuing an order of abatement related to COVID-19 that requires closure of amusement parks, gaming and business establishments with video games and arcade games, any fair or carnival which is a member of the North Carolina Association of Agricultural Fairs, venues for receptions or parties, and outdoor stadiums that operate restaurants, and to document and release the majority concurrence of the Council of State.

House Bill 258 was ratified by the General Assembly on June 24, 2020, and vetoed by the Governor on July 2, 2020.

H308 - Regulatory Reform Act of 2020.

Sec. 27: Extend Sunset on Remote Notary and Video Witnessing. (SL 2020-74)

Section 27 of S.L. 2020-74 extends the authorization for remote notaries and video witnessing from August 1, 2020 to March 1, 2021.

This section became effective July 1, 2020.

H536 - Temp Outdoor Restaurants for Outdoor Seating. (Ratified)

House Bill 536 would have temporarily authorized existing food establishment, private clubs or private bars, wineries, and distilleries to offer and operate outdoor dining and beverage service options, provided specific conditions were met. House Bill 536 was ratified by the General Assembly on May 28, 2020, and was vetoed by the Governor on June 5, 2020.

H594 - Temporarily Open Gyms/Health Clubs/Fitness Centers. (Ratified)

House Bill 594 would have done the following:

- Authorize existing indoor or outdoor exercise and fitness facilities, gyms, health clubs, and fitness centers to open and resume operations, provided specific conditions are met, although temporarily closed by executive order due to COVID-19.
- Authorize existing food establishment, private clubs or private bars, wineries, and distilleries to offer and operate outdoor dining and beverage service options, provided specific conditions are met, although temporarily closed by executive order due to COVID-19.
- Allow the Governor, with a concurrence of the majority of the Council of State, to exercise emergency powers to reclose the restaurants, bars, and fitness facilities opened by HB594, provided the concurrence is documented and released.
- Require the Secretary of Health and Human Services or the Secretary of Environmental Quality to seek the concurrence of the majority of the Council of State has been obtained and released when issuing an order of abatement related to COVID-19 that requires closure of restaurants, bars, and fitness facilities.

House Bill 594 was ratified by the General Assembly on June 10, 2020, and vetoed by the Governor on June 19, 2020.

H686 - Freedom to Celebrate the Fourth of July. (Ratified)

House Bill 686 would have allowed 4th of July parades and regulated firework displays. House Bill 686 was ratified by the General Assembly on June 24, 2020, and vetoed by the Governor on July 2, 2020.

H806 - Open Exercise & Fitness Facilities. (Ratified)

House Bill 806 would have authorized the reopening and resumption of activities by existing indoor or outdoor exercise and fitness facilities, gyms, health clubs, and fitness centers temporarily closed by executive order due to COVID-19, provided specific conditions were met.

The act would have become effective when it became law and expired when Executive Order No. 147, issued on June 24, 2020, was repealed, replaced, or rescinded.

House Bill 806 was ratified by the General Assembly on June 26, 2020, and vetoed by the Governor on July 2, 2020.

H902 - Purchases & Contracts Changes/Global Transpark/Prison Pilot.

Part VI: Limited Immunity from COVID-19 Related Claims Arising from Reopening of Privately Owned Community Swimming Pools. (SL 2020-90)

Part VI of S.L. 2020-90 provides limited immunity to owners and operators of privately owned community swimming pools and their agents for claims and actions seeking damages for injury or death arising from transmission of COVID-19 resulting from pool reopening in accordance with applicable executive orders of the Governor.

This part of the act became effective July 2, 2020 and applies to claims arising on or after that date.

H1023 - Coronavirus Relief Fund/Additions & Revisions.

Sec. 1.1(d) Revisions to S.L. 2020-4. (SL 2020-80)

Section 1.1(d) of S.L. 2020-80 amends and/or creates multiple subsections in Section 3.3. of S.L. 2020-4. Please see Section 3.3 of S.L. 2020-4 for these summaries.

H1023 - Coronavirus Relief Fund/Additions & Revisions.

Sec. 1.1(e) Revisions to S.L. 2020-4. (SL 2020-80)

Section 1.1(e) of S.L. 2020-80 creates multiple sections in S.L. 2020-4. Please see S.L. 2020-4 for these summaries.

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Sec. 1.5: Conflict with Federal Law. (SL 2020-4)

Section 1.5 of S.L. 2020-4 provides that if an allocation made under the act is disallowed by federal law, the disallowed allocation is repealed, and the Office of State Budget and Management (OSBM) must transfer the amount of the disallowed allocation to the Coronavirus Relief Reserve. If the funds have been allocated to a nonprofit corporation, and the use of funds by the nonprofit corporation is disallowed by federal law, the nonprofit corporation must return the amount of funds allocated to the nonprofit corporation to OSBM to transfer the funds into the Coronavirus Relief Reserve.

This section became effective May 4, 2020.

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Sec. 1.6: General Guidance on Use of Funds. (SL 2020-4)

Section 1.6 of S.L. 2020-4 requires the Office of State Budget Management to work with the recipient State agencies to budget receipts awarded pursuant to COVID-19 Recovery Legislation according to the program needs and within the parameters of the respective granting entities and applicable federal laws and regulations. State agencies are not permitted to use funds received pursuant to COVID-19 Recovery Legislation for recurring purposes and revenue replacement is not a permissible use of funds received pursuant to the CARES Act, P.L. 116-136.

This section became effective May 28, 2020.

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Sec. 1.7: Required Report on Use of Funds. (SL 2020-4)

Section 1.7 of S.L. 2020-4 requires the Office of State Budget Management (OSBM) to submit a report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division by March 1, 2021, detailing the use of funds allocated under Section 3.3 of this act. This report from OSBM must include the amount of funds allocated to each State agency, State department, and nonprofit organization; how the funds were used by each State agency, State department, and nonprofit organization; and the amount of funds allocated to each State agency, State department, and nonprofit organization that remained unspent as of December 30, 2020.

Each State agency or department that receives federal grant funds under Section 4.1 of this act must also submit a report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research

Division no later than 90 days from the day the grant period ends detailing the use of funds. The report required from each State agency or department that receives federal grant funds under Section 4.1 of this act must include the amount of funds granted, the source of the funds, how the funds were used, and the amount of funds that remained unspent at the end of the grant period.

This section became effective May 28, 2020.

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Sec. 1.8: Audit Coronavirus Relief Fund. (SL 2020-4)

Section 1.8 of S.L. 2020-4 requires the State Auditor to conduct a preliminary financial and a final performance audit of the Coronavirus Relief Fund created by S.L. 2020-4, no later than March 1, 2021.

This section became effective May 4, 2020.

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Sec. 2.1: Establishment of Coronavirus Relief Reserve. (SL 2020-4)

Sec. 2.1 of S.L. 2020-4 directs the State Controller to establish the Coronavirus Relief Reserve (Reserve) in the General Fund to maintain federal funds received under the CARES Act to mitigate the impact of COVID-19 in North Carolina. The State Controller must transfer funds from the Reserve to the Coronavirus Relief Fund only as needed to meet the appropriations set out in this act and only at the request of the Director of the Budget.

This section became effective May 4, 2020.

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Sec. 2.2: Establishment of Coronavirus Relief Fund. (SL 2020-4)

Sec. 2.2 of S.L. 2020-4 establishes the Coronavirus Relief Fund (Fund) to provide necessary and appropriate relief and assistance from the effects of COVID-19. The Fund must be maintained as a special fund and administered by the Office of State Budget and Management. All funds allocated from the Fund must be used for necessary expenditures incurred due to the public health emergency with respect to COVID-19. Only expenditures incurred during the period that begins on March 1, 2020, and ends on December 30, 2020, are eligible for funding from this Fund.

This section became effective May 4, 2020.

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Sec. 2.3: Establishment of Local Government Coronavirus Relief Reserve. (SL 2020-4)

Sec. 2.3 of S.L. 2020-4, as amended by Sec. 1.1.(a) of S.L. 2020-80, and Sec. 1.1.(c) of S.L. 2020-97, does all of the following:

- Establishes a Local Government Coronavirus Relief Reserve (Local Reserve) in the General Fund to maintain certain federal funds transferred from the Coronavirus Relief Reserve (Reserve) eligible to mitigate the impact of COVID 19 on the revenue of North Carolina local governments.
- Transfers the sum of three hundred million dollars (\$300,000,000) from the Reserve to the Local Reserve.
- Transfers interest earned on funds held in the Local Reserve to the Coronavirus Relief Fund.

This section became effective May 4, 2020.

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Sec. 3.3(22): Duke University Human Vaccine Institute. (SL 2020-4)

Section 3.3(22) of S.L. 2020-4, requires the Office of State Budget and Management to allocate \$15 million of the funds appropriated from the Coronavirus Relief Fund to the Duke University Human Vaccine Institute (DHVI) of the Duke University School of Medicine to develop a safe and effective COVID-19 vaccine. This initial allocation became effective May 4, 2020.

Section 1.2 of S.L. 2020-97 amended Section 3.3(22) of S.L. 2020-4, to increase the allocation from \$15 million to \$17 million and to require the DHVI to develop both (i) a safe and effective COVID-19 vaccine and (ii) rapid, low-cost COVID-19 testing for active infections. This additional allocation and requirement became effective September 4, 2020.

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Sec. 3.3(24): Brody School of Medicine Funds. (SL 2020-4)

Section 3.3(24) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$15 million of the funds appropriated from the Coronavirus Relief Fund to the Brody School of Medicine at East Carolina University to be used for the following: (i) rapid development of a countermeasure of neutralizing antibodies for COVID-19, (ii) bringing a safe and effective COVID-19 vaccine to the public as soon as possible, (iii) community testing initiatives, and (iv) other research and activities related to monitoring, assessing, and addressing the public health and economic impacts of COVID-19.

No later than September 1, 2020, the Brody School of Medicine is required to report to the Joint Legislative Oversight Committee on Health and Human Services on the progress of the requirements of this subdivision and the use of appropriated funds.

This section became effective May 4, 2020.

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Sec. 3.3(25): Campbell University School of Osteopathic Medicine Funds. (SL 2020-4)

Section 3.3(25) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$6 million of the funds appropriated from the Coronavirus Relief Fund to the Campbell University School of Osteopathic Medicine for a community- and rural-focused primary care workforce response to COVID-19, including, but not limited to: i) supporting community testing initiatives, (ii) providing treatment in

community-based health care settings, (iii) monitoring rural populations, (iv) educating health professionals on best practices for a pandemic response, and (v) supporting rural communities through primary care.

No later than September 1, 2020, the Campbell University School of Osteopathic Medicine is required to report to the Joint Legislative Oversight Committee on Health and Human Services on the progress of the requirements of this subdivision and the use of appropriated funds.

This section became effective May 4, 2020.

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Sec. 3.3(26): Wake Forest University Health Services Funds for Syndromic Surveillance and Antibody Testing. (SL 2020-4)

Section 3.3(26) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$20 million of the funds appropriated from the Coronavirus Relief Fund to Wake Forest University Health Services to be used to expand its COVID-19 study to include syndromic surveillance and representative sample antibody testing to provide policymakers and researchers with near real-time coronavirus prevalence, hospitalization, and facility data.

This section became effective May 4, 2020.

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Sec. 3.3(27): DHHS Funds for Public Health, Rural Providers, Infection Control in Nursing and Adult Care Homes, Behavioral Health Emergencies. (SL 2020-4)

Section 3.3(27) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$20 million of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services to provide funds to support local health departments, rural health providers, the state Laboratory of Public Health, and behavioral health and crisis services. Allowable uses include, but are not limited to, the following: increasing nursing capacity, increasing the number of community health workers, expanding telehealth services, providing infection control support and training in nursing home and adult care homes, and diverting behavioral health emergencies from emergency departments.

This section became effective May 4, 2020.

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Sec. 3.3(28): DHHS Funds for Food Banks. (SL 2020-4)

Section 3.3(28) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$6,000,000 of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services to be distributed equally among each of the six food banks in the State. The food banks are encouraged to use the funds allocated to purchase food from North Carolina-based farmers and vendors. This allocation became effective May 4, 2020.

Section 1.2 of S.L. 2020-97 amended Section 3.3(28) of S.L. 2020-4 to increase the allocation to DHHS for the food banks from \$6 million to \$12 million. This additional allocation became effective September 4, 2020.

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Sec. 3.3(29): DHHS, DSS Funds for LINKS Foster Care Support Program. (SL 2020-4)

Section 3.3(29) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$290,000 of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services, Division of Social Services, to provide funds for the LINKS foster care support program for youth ages 13-21. The funds must be used to support youth in the LINKS program who are not receiving foster care assistance payments and need assistance with housing or transitional costs due to COVID-19. The funds must be allocated as follows: \$250,000 for LINKS Transitional Living Services, and \$40,000 for LINKS Transitional Housing.

This section became effective May 4, 2020.

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Sec. 3.3(30): DHHS, DSS Funds for Facilities Receiving State-County Special Assistance. (SL 2020-4)

Section 3.3(30) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$25,000,000 of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services, Division of Social Services, to provide funds for facilities licensed to accept State-County Special Assistance. The funds must be used to provide a one-time payment to these facilities to offset the increased costs of service residents during the COVID-19 emergency. Each eligible facility must receive \$1,325 for each resident of the facility who is a recipient of State-County Special Assistance between March 10, 2020, through July 30, 2020. If a recipient who transfers from one facility to another during this time period, only the first eligible facility of residence will receive the payment. Nothing in this section must be construed as an obligation by the General Assembly to appropriate funds for the purpose of this section, or as an entitlement by any facility, resident of a facility, or other person to receive financial assistance under this section. The following definitions apply:

- Facility licensed to accept State-County Special Assistance payments. – Any residential care facility that is (i) licensed by the Department of Health and Human Services and (ii) authorized to accept State-County Special Assistance payments from its residents.
- State-County Special Assistance. – The program authorized by G.S. 108A-40.

This section became effective May 4, 2020.

Note: Also see summary of Section 3.3(30a) of S.L. 2020-4, as added by Section 1.2 of S.L. 2020-97 which pertains to State-County Special Assistance funds.

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Sec. 3.3(31): DHHS Funds for Rural and Underserved Communities Hit Hard by COVID-19. (SL 2020-4)

Section 3.3(31) of S.L. 2020-4 requires the Office of State Budget and Management to allocate \$50,000,000 of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services to provide funds for rural and underserved communities hit especially hard by the COVID-19 pandemic. The emergency funds allocated in this subdivision must support health provider grants, targeted Medicaid assistance for rural hardship grants to nonhospital providers, enhanced Telehealth services, transportation for critical services, health care security for the uninsured, the Office of Minority Health, and related items.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(32): NC Association of Free and Charitable Clinics Funds. (SL 2020-4)

Section 3.3(32) of S.L. 2020-4, as amended by Section 1.1(d) of S.L. 2020-80, requires the Office of State Budget and Management to allocate \$7,425,000 of the funds appropriated from the Coronavirus Relief Fund to the North Carolina Association of Free and Charitable Clinics (NCAFCC), a nonprofit organization, to be used for distribution to its member clinics to cover the cost of eligible health services provided during the COVID-19 emergency and other costs allowed pursuant to federal guidance. The NCAFCC is required by August 1, 2020, to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on a plan for allocating the funds received under this section, and by February 1, 2021, on the use of these funds by recipients.

This section, as amended, became effective July 1, 2020.

Section 1.2 of S.L. 2020-97 amended Section 3.3(32) of S.L. 2020-4, as amended by Sec.1.1(d) of S.L. 2020-80, to increase the amount of the allocation from \$7,425,000 to \$12,425,000 and in addition to August 1, 2020, a reporting date of November 1, 2020, was added.

The increased allocation and additional reporting date became effective September 4, 2020.

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Sec. 3.3(33): DHHS Funds for MedAssist. (SL 2020-4)

Section 3.3(33) of S.L. 2020-4 requires the Office of State Budget and Management allocate \$1,500,000 of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services to provide a grant to NC MedAssist, a nonprofit corporation, to offset increased costs for providing prescription assistance service during the COVID-19 pandemic to individuals who are indigent or uninsured. This allocation became effective May 4, 2020.

Section 4B.2 of S.L. 2020-78 amended Section 3.3(33) of S.L. 2020-4 to clarify that the funds provided to NC MedAssist can be used for other costs allowed pursuant to federal guidance. This clarification became effective July 1, 2020.

Section 1.2 of S.L. 2020-97 amended Section 3.3(33) of S.L. 2020-4, as amended by Section 4B.2 of S.L. 2020-78, to increase the allocation to NC MedAssist from \$1,500,000 to \$6,500,000. This additional allocation became effective September 4, 2020.

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Sec. 3.3(34): North Carolina Community Health Centers Association Funds. (SL 2020-4)

Section 3.3(34) of S.L. 2020-4, as amended by Section 1.1(d) of S.L. 2020-80, requires the Office of State Budget and Management to allocate \$7,425,000 of the funds appropriated from the Coronavirus Relief Fund to the North Carolina Community Health Center Association (NCCHCA), a nonprofit organization, to be used for distribution to its member health centers to cover the cost of eligible health services provided during the COVID-19 emergency and other costs allowed pursuant to federal guidance. By August 1, 2020, the NCCHCA is required to report to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division on a plan for allocating the funds received under this section, and by February 1, 2021, on the use of these funds by recipients.

This section, as amended, became effective July 1, 2020.

Section 1.2 of S.L. 2020-97 further amended Section 3.3(34) of S.L. 2020-4, as amended by Section 1.1(d) of S.L. 2020-80, to increase the allocation to NCCHCA from \$7,425,000 to \$12,425,000 and to require that \$600,000 be equally distributed to the following federally qualified health center look-alikes, that are nonprofit corporations, to cover the cost of eligible health services provided during the COVID-19 emergency and other costs as federal guidance allows: Black River Health Services, Inc., Hot Springs Health Program, NeighborHealth Center, Inc.. The remaining funds must be used for distribution to member health centers. This amendment also added a November 1, 2020, reporting requirement in addition to the August 1, 2020, reporting requirement.

These amendments became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(35): DHHS Funds to Expand Testing, Contact tracing, and Trends Tracking. (SL 2020-4)

Section 3.3(35) of S.L. 2020-4 allocates \$25 million to the Department of Health and Human Services to expand COVID-19 testing, contact tracing, and trends tracking by (1) building capacity for widespread COVID-19 diagnostic testing to enable rapid case-based interventions; (2) building capacity for widespread COVID-19 antibody testing to enable rapid deployment when such testing becomes available, (3) expanding contact tracing workforce and infrastructure to routinely identify potentially exposed persons and take appropriate public health actions; and (4) increasing research and data tools and analysis infrastructure to support better predictive models, surveillance, and response strategies

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(36): DHHS Funds to Support Behavioral Health and Crisis Services. (SL 2020-4)

Section 3.3(36) of S.L. 2020-4 allocates \$20 million to the Department of Health and Human Services to support behavioral health and crisis services through the COVID-19 pandemic. The funds must be used (1) to divert individuals experiencing behavioral health emergencies from emergency departments; (2) to allocate \$12.6 million to be distributed as a one-time payment to each local management entity/managed care organization for the purposes of providing temporary additional funding assistance for Intermediate Care Facilities for Individuals with Intellectual Disabilities services on a per diem basis; and (3) to allocate \$400,000 in nonrecurring funds to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, for the purchase of units of opioid antagonist.

This section became effective May 4, 2020.

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Sec. 3.3(37): Department of Health and Human Services Funds to Support Residential Settings . (SL 2020-4)

Section 3.3(37) of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to allocate \$20 million to the Department of Health and Human Services to provide funding for food banks, residential settings that are incurring additional costs to mitigate spread or isolate positive cases, adult and child protective services response, homeless and domestic violence shelters and housing security, child care response, costs to expand NCCARE360, a Statewide coordinated care network that will connect individuals impacted by COVID-19 to local services such as food, housing, child care and other resources, and technology modifications to support COVID-19 emergency relief to beneficiaries. \$3.5 million of this sum is allocated to Reinvestment Partners for its Produce Prescription Program.

The section containing the initial \$19 million appropriation became effective May 4, 2020. The full appropriation became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(38): Funds for Old North State Medical Society, Inc.. (SL 2020-4)

Section 3.3(38) of S.L. 2020-4 allocates \$1.8 million to the Old North State Medical Society, Inc. to address the COVID-19 disparities in underserved areas of the State.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.
Sec. 3.3(39): Rural Hospitals Relief Fund. (SL 2020-4)

Section 3.3(39) of S.L. 2020-4 allocates \$65 million to establish the COVID-19 Rural Hospitals Relief Fund. This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.
Sec. 3.3(40): Teaching Hospitals Relief fund. (SL 2020-4)

Section 3.3(40) of S.L. 2020-4 allocates \$15 million to establish the COVID-19 Teaching Hospitals Relief Fund. This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.
Sec. 3.3(41): General Hospitals Relief Fund. (SL 2020-4)

Section 3.3(41) of S.L. 2020-4 allocates \$15 million to establish the COVID-19 General Hospitals Relief Fund. This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.
Sec. 3.3(42): Department of Health and Human Services Funds for Foster Care . (SL 2020-4)

Section 3.3(42) of S.L. 2020-4, as amended by Section 1.1(d) of S.L. 2020-80, and as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to allocate \$4,350,000 to the Department of Health and Human Services, Division of Social Services, to assist in serving children in foster care during the COVID-19 emergency. The funds must be used for monthly supplemental payments in the amount of \$100 for each child receiving foster care assistance payments beginning in April 2020 and continuing until the funds are exhausted.

The section containing the initial \$3,550,000 appropriation became effective May 4, 2020. The full appropriation became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.
Sec. 3.3(50): UNC School of Medicine Asheville Campus Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (50) that requires the Office of State Budget and Management to allocate \$4.8 million of the funds appropriated from the Coronavirus

Relief Fund to the University of North Carolina at Chapel Hill for the UNC School of Medicine's Asheville Campus for COVID-19 related response activities, including outreach and education.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(53): NC HealthConnex Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (53) allocating \$2.6 million to the Office of State Budget and Management to provide additional funding for the statewide health information exchange network known as NC HealthConnex, for the implementation of specified COVID-19 related operations and improvements.

This section became effective July 1, 2020.

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Sec. 3.3(54): Caitlyn's Courage, Inc. Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (54) allocating \$3.5 million to the Administrative Office of the Courts to be used as a grant for Caitlyn's Courage, Inc.

This section became effective July 1, 2020.

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Sec. 3.3(63): Department of Public Instruction Funds for PPE. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (63) allocating \$7 million to the Department of Public Instruction to provide personal protective equipment (PPE) for public schools in response to the COVID-19 pandemic. The PPE is to facilitate in-person instruction for the 2020-2021 school year.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(65): UNC at Pembroke Funds for COVID-19 Project. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (65) allocating \$3 million to the University of North Carolina at Pembroke for an advanced analytics project to focus on providing a better understanding of the nature and impact of the COVID-19 pandemic, particularly in rural and at-risk communities.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(66): UNC at Pembroke Department of Nursing Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (66) requiring the Office of State Budget and Management to allocate \$2 million of the funds appropriated from the Coronavirus Relief Fund to the University of North Carolina at Pembroke for the Department of Nursing in the College of Health Sciences for training necessary when caring for COVID 19 patients in a variety of facility settings.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(67): DHHS Funds for IDD Group Homes. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (67) requiring the Office of State Budget and Management to allocate \$5 million of the funds appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, to be allocated to group homes for individuals with intellectual or developmental disabilities, or both, to support the implementation of guidance for preventive measures to address the introduction and spread of COVID-19 among residents and staff of these facilities.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(68): Hospital Grants to Offset COVID-19 Patient Care Expenses . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-

91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (68) requiring the Office of State Budget and Management to allocate \$7 million of the funds appropriated from the Coronavirus Relief Fund to be allocated as grants in equal amounts to the following hospitals: (i) Good Hope Hospital, Inc., (ii) Lake Norman Regional Medical Center, (iii) Cape Fear Valley Health Hoke Hospital, (iv) Catawba Valley Medical Center, (v) Davis Regional Medical Center, (vi) Carolinas Healthcare System Blue Ridge, and (vii) AdventHealth Hendersonville. These funds shall only be used to offset specified expenses incurred for providing patient care in response to the COVID-19 pandemic.

No later than December 1, 2020, each grant recipient shall submit a report to the House Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Joint Legislative Oversight Committee on Health and Human Services, that contains a breakdown of all expenditures from the funds received and the total amount of funds received from the Provider Relief Fund provided for in P.L. 116-136 and any other COVID-19 recovery legislation or other legislation enacted by Congress during calendar year 2020 to support the national response to COVID-19.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(69): Funds to Tier Two Counties. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (69) requiring the Office of State Budget and Management to allocate \$2.5 million of the funds appropriated from the Coronavirus Relief Fund to any county designated as a development tier two area, as defined in G.S. 143B-437.08, with a population of less than 150,000, that has a hospital located within its borders meeting specified criteria. These funds must only be used to offset specified expenses incurred for providing patient care in response to the COVID-19 pandemic.

No later than December 1, 2020, each grant recipient must submit a report to the House Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Joint Legislative Oversight Committee on Health and Human Services, that contains a breakdown of all expenditures from the funds received and the total amount of funds received from the Provider Relief Fund provided for in P.L. 116-136 and any other COVID-19 recovery legislation or other legislation enacted by Congress during calendar year 2020 to support the national response to COVID-19.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(70): Funds to the Children's Advocacy Center of NC. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (70) requiring the Office of State Budget and Management to allocate \$4.3 million of the funds appropriated from the Coronavirus Relief Fund to the Children's Advocacy Centers (CACNC) of North Carolina, Inc., a nonprofit corporation, to be distributed to child advocacy centers in the State that are in good standing with CACNC to cover the cost

of increased child caseloads and the statewide provision of more effective and available virtual counseling due to the COVID-19 pandemic.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(71): Funds to the Crossnore School and Children's Home . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.1(d) of S.L. 2020-80 to add a new subsection (71) requiring the Office of State Budget and Management to allocate \$375,000 of the funds appropriated from the Coronavirus Relief Fund to the Crossnore School and Children's Home, a nonprofit child welfare organization, for COVID-19 related preventative measures to protect staff and children in a close congregate living facility.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(82): Funds to OSMB for Virtual Learning Support . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (82) that allocates \$150,000 to OSMB to be allocated to the Steve Smith Family Foundation to be used for its virtual learning support program that assists homeless students during the COVID-19 pandemic. Funds must be used for COVID-19 eligible expenses, including the cost of tutors, meals, personal protective equipment, cleaning, rental of work space for students, and on-site support of information technology and counseling.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(83): Funds to the Community Colleges System Office to Purchase Personal Protective Equipment . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (83) that allocates \$5 million to the Community Colleges System Office to Purchase Personal Protective Equipment.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(84): Funds to the University of North Carolina at Charlotte Bioinformatics Research Center . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (84) that allocates \$9 million to University of North Carolina at Charlotte Bioinformatics Research Center. \$4 million must be used for the development and analysis of viral and epidemiological data to address viral spread, assess treatments and therapeutics, and combat the COVID-19 pandemic and future viruses. \$5 million must be used for the development of a novel COVID-19 monitoring program based on the presence of the virus in wastewater and public transportation systems.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(85): Funds to the Board of Governors of the University of North Carolina System for Personal Protective Equipment . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (85) that allocates \$13 million to the Board of Governors of the University of North Carolina System to be allocated to constituent institutions for purchase of Personal Protective Equipment.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(86): Covid-19 Pandemic Alternative Education Options for Students with Disabilities. (SL 2020-4)

S.L. 2020-4, Sec. 3.3(86), as enacted by S.L. 2020-97, Sec. 1.2, provides additional funds to the State Education Assistance Authority to fund Personal Education Savings Accounts (PESAs) and Special Education Scholarships for Students with Disabilities (SWD Scholarships). Eligible students who (i) applied for these scholarships for the 2020-2021 school year within established application deadlines and (ii) were not awarded scholarships as of September 4, 2020, must be awarded funds for the fall semester of the 2020-2021 school year only. If feasible, any remaining scholarship funds must be distributed to additional eligible students under the same conditions.

Students awarded PESAs with these funds will not receive priority award of future PESA scholarships. Students awarded SWD Scholarships will be deemed to meet the public school enrollment requirements for eligibility for SWD Scholarships in the 2021-2022 school year, but will not receive priority in the award of those scholarships.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(93): Funds for Equipment for Health Care Workforce and First Responder Programs . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (93) that provides \$5 million to the Community Colleges System Office to allocate to community college campuses for equipment costs for health care workforce and first responder programs necessary for the State's response to the COVID-19 pandemic.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(97): Funds for Southern Regional Area Health Education Center. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (97) that provides \$500,000 to the University of North Carolina at Chapel Hill to be used for the Southern Regional Area Health Education Center (AHEC) for COVID-19 related response activities, including outreach and education.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(98): Funds for East Carolina University to Conduct Research with Dartmouth Atlas Project on COVID-19 Impacts . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (98) that provides \$500,000 to East Carolina University to conduct research in partnership with the Dartmouth Atlas Project at the Dartmouth Institute for Health Policy and Clinical Practice on the key impacts of COVID-19, including studying patient clinical outcomes, health impacts, resulting economic hardships, and other long-term economic outcomes, such as unemployment, bankruptcy, and recovery.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(99): Funds for Fayetteville State University to Complete Physical and Virtual Technology Laboratories on COVID-19 Impact . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (99) that provides \$5 million to Fayetteville State University for physical and virtual technology laboratories to continue existing research on COVID-19 impacts with \$2 million used for build-out of existing structure and \$3 million for developing virtual infrastructure.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(23): NC Policy Collaboratory Funds. (SL 2020-4)

Section 3.3(23) of S.L. 2020-4, requires the Office of State Budget and Management to allocate \$29,000,000 of the funds appropriated from the Coronavirus Relief Fund to the University of North Carolina at Chapel Hill for the North Carolina Policy Collaboratory to be used for the following: (i) rapid development of a countermeasure of neutralizing antibodies for COVID-19, (ii) bringing a safe and effective COVID-19 vaccine to the public as soon as possible, (iii) community testing initiatives, and (iv) other research and activities related to monitoring, assessing, and addressing the public health and economic impacts of COVID-19. The following statutes do not apply to the purchase of apparatus, supplies, material, or equipment with the funds allocated under this subdivision: purchase and contract requirements in Article 3 of Chapter 143 of the General Statutes, the procedure for letting of public contracts contained in G.S. 143-129, and the powers of the Board of Governors of the University of North Carolina regarding certain purchasing contract contained in G.S. 116-31.10

No later than September 1, 2020, the Collaboratory is required to report to the Joint Legislative Oversight Committee on Health and Human Services on the progress of the requirements of this subdivision and the use of appropriated funds.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(102): Funds for the Council for Women for Domestic Violence and Sexual Assault . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (102) that provides a total of \$12 million to the Department of Administration, Council for Women, with \$6 million provided for domestic violence centers and \$6 million for sexual assault programs to mitigate increased incidents as a result of the COVID-19 pandemic.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(107): Funds for the Children's Home Society of North Carolina . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (107) that allocates \$300,000 to the Department of Health and Human Services, Division of Social Services, for the Children's Home Society of North Carolina, Inc., to provide virtual foster care and adoption services for families and children experiencing hardship as a result of the COVID-19 pandemic.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(108): Funds for a Grant to Backpack Ministry, Inc. . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (108) that allocates to the Office of State Budget and Management \$100,000 to provide a grant to Backpack Ministry, Inc., d/b/a Food for Families, a nonprofit that provides food to students who would otherwise not receive a meal at home, to address increased food service demands due to the impact of COVID-19.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(109): Funds for a Student Health Collaborative Pilot Program . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (109) that allocates \$300,000 to the Department of Health and Human Services, Division of Social Services, to establish a student health collaborative pilot program in accordance with Section 4.18 of S.L. 2020-97.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(110): Bridge to Recovery, Inc. Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (110) that allocates \$400,000 to the

Office of State Budget and Management to provide a grant to Bridge to Recovery, Inc to offset the costs of increased demand for substance use disorder services related to the impacts of COVID-19 and to fund the development of innovative substance use disorder programs in Union County, Stanly County, and surrounding areas as a result of COVID-19.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(111): Funds to Triangle Residential Options for Substance Abusers, Inc.. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (111) that provides \$500,000 to the Office of State Budget and Management to provide a grant to Triangle Residential Options for Substance Abusers, Inc., a nonprofit corporation, to be used for (i) offsetting increased operational expenses incurred for providing comprehensive residential substance use disorder treatment associated with the COVID-19 pandemic, for the period beginning March 1, 2020, and ending December 30, 2020, and (ii) any other COVID-19 related losses or expenses incurred during that time period, as allowed under the Coronavirus Aid, Relief, and Economic Security Act.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(112): Funds to Nurse Family Partnership. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (112) that provides \$1 million to the Office of State Budget and Management to be allocated to Nurse Family Partnership, a nonprofit corporation located in North Carolina, to help offset COVID-19 related expenses incurred for specified services provided and supplies, such as personal protective equipment, used within the State between March 1, 2020, and December 30, 2020.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114): Funds to North Carolina Assisted Living Association . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114) that provides \$750,000 to the Office of State Budget and Management to be allocated to North Carolina Assisted Living Association (NCALA), a nonprofit organization, to facilitate safe visitation and communication between residents and

family members and to maintain Centers for Disease Control and Prevention infection control guidance and safety standards.

NCALA shall distribute the following equally among its member facilities: \$500,000 to be distributed for the purchase of communications equipment and technology, such as smart devices for residents, and \$250,000 for the purchase of environmental supplies and the development of plans to redesign visitation or common areas to address resident isolation.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(30a): Funds for State-County Special Assistance . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (30a) that provides \$20 million to the Department of Health and Human Services, Division of Social Services, for facilities licensed to accept State-County Special Assistance. The funds must be used to provide temporary monthly payments to the facilities to offset increased costs during the COVID-19 emergency. From August 1, 2020, through December 30, 2020, the payment will be \$250 per individual. The payments will be terminated December 30, 2020, or when the funds run out, whichever is earlier.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(30a): DHHS, DSS Funds for Facilities Receiving State-County Special Assistance (Aug-Dec 2020). (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (30a) that provides \$20 million to the Department of Health and Human Services, Division of Social Services, for facilities licensed to accept State-County Special Assistance.

The funds must be used to provide a temporary financial assistance in the form of a monthly payment to these facilities to offset the increased costs of service residents who are recipients of State-County Special Assistance during the COVID-19 emergency. For the period August 1, 2020 and ending December 30, 2020, the amount of the monthly payment authorized must be equal to \$250.00 per month for each resident who is a recipient of State-County Special Assistance. The DSS must terminate all monthly payments pursuant to this subdivision on the earlier of December 30, 2020, or when funds are depleted.

Nothing in this subdivision can be construed as an obligation by the General Assembly to appropriate funds for the purpose of this subdivision, or as an entitlement by any facility, resident of a facility, or other person to receive financial assistance under this subdivision. The following definitions apply:

- Facility licensed to accept State-County Special Assistance payments. – Any residential care facility that is (i) licensed by the Department of Health and Human Services and (ii) authorized to accept State-County Special Assistance payments from its residents.
- State-County Special Assistance. – The program authorized by G.S. 108A-40.

This subdivision became effective September 4, 2020.

Note: Also see summary of Section 3.3(30) of S.L. 2020-4, which pertains to State-County Special Assistance funds.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(35a): Funds to OSMB for COVID-19 Testing . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (35a) that allocates \$34,002,617 to OSMB for COVID-19 testing to be allocated as follows. \$29,002,617 in equal amounts to NC Senior Living Association (NCSLA), NC Health Care Facilities Association (NHCFA), and NC Assisted Living Association (NCALA). The organizations must distribute the funds equally to their member facilities. \$5,000,000 to the Board of Governors of The University of North Carolina (UNC), to be used to effectively mitigate the spread of COVID-19 on UNC campuses.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(75a): Lost Wage Assistance Program. (SL 2020-4)

Section 3.3(75a) of S.L. 2020-4, as enacted by Sec. 1.2 of S.L. 2020-97, provides that up to \$50 million of the CARES Act funds may be used to fulfill the State's match obligation for the FEMA-approved \$300/beneficiary grant funding for the Lost Wage Assistance program. Portions not used for this purpose will be used for continuity of operation needs across State government, in accordance with Section 3.3(3) of S.L. 2020-4. If this provision's allocation is insufficient for the state match requirement, OSBM may meet the requirement with funds allocated under Section 3.3(3) of S.L. 2020-4.

This provision became effective when it became law, on September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(106a): Funds for Licensed Child Care Providers . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (106a) that allocates a total of \$35 million to the Department of Health and Human Services, Division of Child Development and Early Education, to provide operational grants to licensed child care providers to be used for various costs incurred in providing child care in response to the COVID-19 pandemic.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(106b): Funds for Assistance Payments to Parents Using Remote Learning Opportunities . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (106b) that allocates a total of \$8 million to the Department of Health and Human Services, Division of Child Development and Early Education, to provide assistance payments to parents using remote learning opportunities for the care of their children with preference given to applicants who reside in a household with an income level not in excess of 150% of the amount required for a child in the home to qualify for the federal free or reduced-price lunch program.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(106c): Funds to Establish the North Carolina COVID-19 Provider Relief Fund . (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (106c) that allocates \$20 million to the Department of Health and Human Services to establish the North Carolina COVID-19 Provider Relief Fund to reimburse providers enrolled in the NC Medicaid program for costs incurred in providing COVID-19 related treatment to uninsured patients during the COVID-19 pandemic. The program shall be modeled after the federal Provider Relief Program established under the CARES Act.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114a): Funds to the Iredell County Health Department. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114a) that provides \$34,000 to the Office of State Budget and Management to provide a grant to the Iredell County Health Department, to be used to purchase a cargo trailer, temporary fencing, and a canopy to support a mobile mass-testing site for COVID-19.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114b): Funds to the North Carolina Medical Society Foundation. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114b) that provides \$25 million to the Office of State Budget and Management to allocate to the North Carolina Medical Society Foundation to ensure access to medical care for the citizens of this State by distributing these funds to independent medical practices in this State with demonstrable financial needs related to COVID-19.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114c): Funds to Watauga County. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114c) that provides \$10,000 to the Office of State Budget and Management to be allocated to Watauga County to be used to purchase a portable broadband kit for the local health department to facilitate the real-time transmission of testing data from COVID-19 mobile testing sites located in rural areas served by the local health department. These funds shall not be used for any purpose other than to purchase the equipment described in this subdivision or to purchase subscription services.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114d): Funds for Personal Protective Equipment in Child Care Settings. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114d) that provides \$6 million to be allocated to the Department of Health and Human Services to purchase personal protective equipment and sanitizing supplies for prevention efforts to combat COVID-19 in child care settings regulated by the State.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114e): Funds to the NCHCFA, the NCSLA and the NCALA. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114e) that provides \$23 million to the Office of State Budget and Management, one-half to be allocated to North Carolina Health Care Facilities Association (NCHCFA) and one-quarter each to be allocated to North Carolina Senior Living Association (NCSLA) and North Carolina Assisted Living Association (NCALA). NCHCFA, NCSLA and NCALA shall use the allocated funds to purchase and distribute, free of charge, to licensed skilled nursing facilities, adult care homes and family care homes, COVID-19 related supplies and equipment necessary for life safety, health, and sanitation, and personal protective equipment. NCSLA and NCALA shall collaborate to assure equitable distribution of the materials described in this subdivision to adult care homes and family care homes.

By February 1, 2021, NCSLA, NCHCFA, and NCALA shall each submit a report on their use of these allocated funds to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(114f): Funds to LME/MCOs. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subsection (114f) that provides \$38,000,000 to the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS), to be distributed to local management entities/managed care organizations (LME/MCOs) as additional lump sum single-stream allocations. LME/MCOs must not use these funds for any purpose other than to provide eligible individuals direct services associated with the COVID-19 pandemic.

The DMH/DD/SAS must distribute these funds among the LME/MCOs as follows: \$5,899,330 to Alliance Behavioral Healthcare, \$9,166,016 to Cardinal Innovations Healthcare, \$4,027,152 to Eastpointe, \$4,375,407 to Partners Behavioral Health Management, \$4,631,095 to Sandhills Center, \$5,292,267 to Trillium Health Resources and \$4,608,733 to Vaya Health.

This subsection became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(35a): COVID-19 Testing Funds. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-

91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (35a) that provides \$34,002,617 to the Office of State Budget and Management to be allocated for COVID-19 testing as provided below.

- \$29,002,617 to be distributed in equal amounts to the NC Senior Living Association, NC Health Care Facilities Association, and the NC Assisted Living Association to purchase COVID-19 tests with 50% of the funds used to purchase rapid COVID-19 tests. The tests must be distributed equally among member facilities, free of charge, for testing facility staff, residents, and visitors. Additionally, member facilities must reserve COVID-19 rapid tests received under this subdivision for testing visitors who are family members or legal guardians of residents.
- \$5 million to the Board of Governors of The University of North Carolina to be used to mitigate the spread of COVID-19 on UNC campuses through testing, tracing, enforcing required on-campus isolation and quarantine and providing COVID-19 related health care services.

This subdivision became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.2: Small Business Loan Assistance. (SL 2020-4)

Section 4.2 of S.L. 2020-4 allocates \$125 million to the Golden Leaf Foundation (GLF) for grants to entities for the purpose of providing emergency bridge loan funding for small businesses adversely affected by the COVID-19 epidemic. The section, in large part, mimics the existing bridge loan program GLF provides with non-State funds. The funds appropriated for this section of the act come from the Coronavirus Relief Fund, into which federal COVID-19 assistance has been transferred.

This section became effective May 4, 2020.

The program was amended by Section 1.6 of S.L. 2020-97 by changing loan terms and loan prioritization and making technical changes. This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.2B: Job Retention Grants. (SL 2020-4)

Sec. 4.2B of S.L. 2020-4, as enacted by Sec. 1.1(e) of S.L. 2020-80, and amended by Sec. 1.5(a) of S.L. 2020-97, appropriates additional money from the Coronavirus Relief Fund to the Office of State Budget and Management (OSBM) and allocates \$15 million to be used to establish a Job Retention Grant program.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.2C: Domestic Violence Prevention Pilot Program . (SL 2020-4)

Section 4.2C of S.L. 2020-4, as enacted by Section 1.1(e) of S.L. 2020-80, creates the Domestic Violence Prevention Pilot Program and appropriates \$3.5 million from the Coronavirus Relief Fund to the Administrative Office of the Courts to provide a grant to Caitlyn's Courage, Inc. to establish domestic violence prevention pilot programs in at least 9 judicial districts of varying caseloads. The domestic

violence pilot programs shall provide judges the option to use global positioning system (GPS) electronic monitoring devices, establish local implementation teams, operate a 24-hour monitoring center, and train all participants about the GPS tracking devices.

No later than April 1, 2021, Caitlyn's Courage, Inc., in consultation with participating judicial districts and the East Carolina University Department of Criminal Justice, must report on the effectiveness of the pilot programs to the Joint Legislative Oversight Committee on Justice and Public Safety, the Joint Legislative Oversight Committee on Health and Human Services, and the Fiscal Research Division.

This section became effective July 1, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.3: Establishment of Temporary Pandemic Recovery Office. (SL 2020-4)

Section 4.3 of S.L. 2020-4 requires the Office of State Budget and Management to establish a temporary North Carolina Pandemic Recovery Office to manage funds made available under COVID-19 Recovery Legislation. It clarifies the Pandemic Recovery Office must ensure coordination of federal funds received by State agencies and local governments, and proper reporting and accounting of all funds. This authorization for the Pandemic Recovery Office provided in this section expires 12 months after it became effective.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.5: Provide Medicaid Coverage for COVID-19 Testing to Uninsured Individuals in North Carolina During the Nationwide Public Health Emergency. (SL 2020-4)

Section 4.5 of S.L. 2020-4 authorizes the Department of Health and Human Services to provide Medicaid coverage for COVID-19 testing for the uninsured during the nationwide coronavirus public health emergency as allowed under the Families First Coronavirus Response Act. The coverage may be retroactive to the extent allowed.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.6: Medicaid Provider Rate Increases. (SL 2020-4)

Section 4.6 of S.L. 2020-4 requires the Department of Health and Human Services to provide a 5% increase in the Medicaid fee-for-service rates paid to all provider types by the Division of Health Benefits. The rate increase is effective from March 1, 2020, through either (i) the end of the nationwide coronavirus public health emergency, (ii) the end of the statewide public health emergency, or (iii) March 31, 2021, whichever occurs first.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.7: Implement Temporary Provider Enrollment Changes Authorized Under the Medicaid 1135 Waiver. (SL 2020-4)

Section 4.7 of S.L. 2020-4 specifies that certain provisions of State law pertaining to provider enrollment must not apply to the Medicaid and Health Choice programs from March 1, 2020, through the duration of the nationwide coronavirus public health emergency, in order to implement the temporary provider enrollment authorized under the approved Medicaid 1135 waiver. The provisions of State law that do not apply are as follows:

- G.S. 108C-2.1, which requires a \$100 fee for provider enrollment applications and requires recertifying every five years.
- G.S. 108C-4(a), which imposes a State requirement to conduct criminal history record checks.
- G.S. 108C-9(a) and (c), which requires providers to complete certain trainings prior to initial enrollment as a Medicaid and Health Choice provider.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.8: Disabled Adult Child Passalong Eligibility/Medicaid. (SL 2020-4)

Section 4.8 of S.L. 2020-4 eliminates, no later than June 1, 2020, the requirement that an individual must have received a Supplemental Security Income (SSI) payment to qualify for the Disabled Adult Child passalong in the Medicaid program.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.9: Child Care and Development Fund Block Grant Increased Availability to Address Immediate Child Care Needs . (SL 2020-4)

Section 4.9 of S.L. 2020-4 amends Section 1.1(a) of Session Law 2019-192 to change the appropriations from federal block grants for child care and development during the 2019-20 fiscal year. The funding for Child Care Services is increased from \$232,109,943 to \$268,109,943, and the funding for the Quality and Availability Initiatives (TEACH Program) is increased from \$55,217,124 to \$67, 217,124.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.11: Funds for Overdose Medications. (SL 2020-4)

Sec. 4.11 of S.L. 2020-4 directs the Department of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) to use \$400,000 allocated in sub-subdivision (36)c. of Section

3.3 of this act to purchase units of opioid antagonist at no charge to opioid treatment programs. Sec. 4.11 requires opioid treatment programs within two weeks of receiving the opioid antagonist to provide a prescription, at least one unit of opioid antagonist, and the opportunity to obtain prescription refills for opioid antagonist to participants who meet certain criteria.

This section became effective May 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.13: Temporary Flexibility for Transportation Allotment. (SL 2020-4)

Sec. 4.13 of S.L. 2020-4, as enacted by Sec. 1.3 of S.L. 2020-97, authorizes local school administrative units, for the 2020-2021 school year, to use funds from the transportation allotment for additional purposes, including:

- School nutrition.
- School- and community-based child care.
- Sanitizing schools and buses.
- Personal protective equipment.
- Remote instruction.

This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.14: Construction PPE and Education. (SL 2020-4)

Section 4.14 of S.L. 2020-4, as enacted by Sec. 1.3 of S.L. 2020-97, sets forth enactments that promote the general welfare, serve the public interest, and further the public purpose of helping to better protect citizens from the coronavirus. This section details how eligible entities can apply for grants and how funds allocated in subdivision (74) of Sec. 3.3, as enacted by Sec. 1.2 of S.L. 2020-97, to the Office of State Budget and Management must be used to provide grants to CAGC Foundation, Inc., (Foundation) and how the Foundation will award those grants. All contractual and interagency agreements necessary to implement this section must be executed within 30 days of this section becoming law. Further, a grant recipient cannot utilize grant funds to pay for expenses that have been or will be covered under another coronavirus relief program.

This section became effective on September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.15: Emergency Grants for Milk Producers. (SL 2020-4)

Section 4.15 of S.L. 2020-4, as enacted by Section 1.3 of S.L. 2020-97, directs the expenditure of \$2 million appropriated to the Department of Agriculture and Consumer Services (Department) in Section 1.2 of S.L. 2020-97 for emergency grants to milk producers. This section directs the Department to make monthly grant payments from the Dairy Stabilization and Growth Fund to each eligible dairy producer in any month where the baseline price of \$20.38 exceeds the monthly Class I Milk Price for the Appalachian Milk

Marketing Order area reported by the Agricultural Marketing Service of the United States Department of Agriculture. The maximum grant amount provided to any producer in any month cannot exceed \$25,000. The Department must report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division on its distribution of funds by November 1, 2020, and on the use of funds by recipients by February 1, 2021.

The Department can also use up to \$50,000 of the funds to study issues arising from the COVID-19 pandemic with transportation and product diversification within the North Carolina dairy industry. The Department must report its findings and recommendations to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division no later than April 1, 2022.

This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.16: Smart School Bus Safety Pilot Program. (SL 2020-4)

S.L. 2020-4, Sec. 4.16, as enacted by S.L. 2020-97, Sec. 1.3, directs the Department of Public Instruction (DPI) to establish the Smart School Bus Safety Pilot Program (Program) by November 23, 2020, and ending it on or before January 1, 2024. The Program is to improve the transportation of public school students through technology in response to the COVID-19 pandemic. All funds from the Coronavirus Relief Fund must be expended by December 30, 2020.

Minimum Technology and Services – Local school administrative units (LEAs) must identify and contract with qualifying vendors to provide technology and services for school buses. Authorized LEAs can elect not to participate in the Program. Qualifying vendors must provide technology and services for school buses in participating LEAs with the LEAs having discretion over the specific technology and services provided as long as the following minimum requirements are met:

- Improve overall communications and reporting on school buses.
- Include automated school bus safety cameras and on-board integration with those cameras.
- Enable employee time tracking, student ridership tracking, and contact tracing in the event of a COVID-19 infection.
- Enable global positioning system tracking of school buses.
- Enable turn by turn navigation along bus routes.
- Optimize time, expenditure, and safety of bus routes.
- Provide pre- and post-trip vehicle inspections that may be transmitted to DPI on a regular basis.
- Communicate ridership information to the student information management system.
- Permit parents or legal guardians to access applicable information.
- Conform to applicable guidance provided by the North Carolina Department of Health and Human Services for the transportation of students during the COVID-19 pandemic.
- Include implementation and project management assistance, training, radio frequency identification technology, and check-in and check-out security stickers or other badges for students.

LEA Requirements – The following requirements and contingencies apply to each participating LEA:

- Every school bus designed for the transportation of children with disabilities must be outfitted with technology provided pursuant to the Program as long as the technology is appropriate for children with disabilities and can be provided in a cost-effective manner.

- At the conclusion of the Program, all hardware provided to an LEA becomes the property of that LEA.

Reports – No later than November 1 and March 1 of each year the Program is in effect, DPI, in consultation with each participating LEA, must report at least all the following information to the Joint Legislative Education Oversight Committee, any committee constituted by the House of Representatives or Senate to address school safety, and the Fiscal Research Division:

- An itemized breakdown of software infrastructure, hardware infrastructure, and equipment provided by qualifying vendors to participating LEAs pursuant to the Program.
- A description of all services provided by qualifying vendors to participating LEAs pursuant to the Program.
- A list of qualifying vendors contracting with participating LEAs pursuant to the Program.
- The impact and effectiveness of the Program.
- All expenditures of State funds pursuant to the Program.

This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.17: Special Supplementary GREAT Act Grant Process. (SL 2020-4)

S.L. 2020-4, Sec. 4.17, as enacted by S.L. 2020-97, Sec. 1.3, modifies criteria and guidelines established under G.S. 143B-1373 for a discrete, supplementary broadband infrastructure grant period to be administered by the Department of Information Technology.

EFFECTIVE DATE: This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 4.18: Establish Student Health Collaborative Pilot Program. (SL 2020-4)

Sec. 4.18 of S.L. 2020-4, as enacted by Section 1.3 of S.L. 2020-97, directs the expenditure of \$300,000 appropriated to the Department of Health and Human Services, Division of Social Services, to establish a student health collaborative pilot program allowing a local education agency to collaborate with the county department of social services to assist students with their mental and physical well-being while in a public school setting in response to the COVID-19 pandemic.

The Division of Social Services must submit a progress report six months after implementing the pilot program to the Joint Legislative Oversight Committee on Health and Human Services, the Joint Legislative Education Oversight Committee, and the Fiscal Research Division.

This section became effective September 4, 2020.

H1043 - 2020 COVID-19 Recovery Act.

Sec. 3.3(94): Funds for PPE-NC Initiative. (SL 2020-4)

Section 3.3 of S.L. 2020-4, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 1.2 of S.L. 2020-97 to add a new subdivision (94) that provides \$14.3 million to the Office of State Budget and Management for the PPE-NC Initiative. The PPE-NC Initiative is a partnership between the Manufacturing Solutions Center at Catawba Valley Community College, Gaston College's Textile Technology Center, the City of Conover, Gaston County, and the private sector to create a launch pad for prototyping and testing reusable personal protective equipment products for entrepreneurs and existing manufacturers. The funds are allocated as follows: \$9 million as a grant to the City of Conover for a facility to house testing labs, rapid prototyping, and textile sourcing; cleanroom upfit; and a rapid prototyping pilot line to create product and train a workforce; and \$5.3 million as a grant to Gaston County to construct an Incubator and Extrusion Center for Advanced Fibers for Gaston College's Textile Technology Center.

This subdivision became effective September 4, 2020.

H1105 - Coronavirus Relief Act 3.0.

Sec. 1.2 Use of Coronavirus Relief Funds. (SL 2020-97)

Section 1.2 of S.L. 2020-97 amends and/or creates multiple subsections in Section 3.3 of S.L. 2020-4. Please see Section 3.3 of S.L. 2020-4 for these summaries.

H1105 - Coronavirus Relief Act 3.0.

Sec. 1.3 Revisions to S.L. 2020-4. (SL 2020-97)

Section 1.3 of S.L. 2020-97 creates multiple Sections in S.L. 2020-4. Please see S.L. 2020-4 for these summaries.

H1105 - Coronavirus Relief Act 3.0.

Sec. 1.5: Job Retention Grant Program. (SL 2020-97)

This provision does the following:

- Allocates an additional \$45.5 million of the federal funds in the Coronavirus Relief Fund to the Job Retention Grant program created by S.L. 2020-80.
- Corrects a statutory reference that will enable 501(c)(6) entities to be eligible for a grant under this program.
- Provides that if any funds remain available after the first round of grants, a second round of grants will be made available solely for a business or nonprofit that employs 20 or fewer employees.

H1105 - Coronavirus Relief Act 3.0.

Sec. 1.6A: Increased Benefit Amount. (SL 2020-97)

This provision allocates \$87 million of the federal CARES act funds to provide individuals receiving State unemployment assistance an increased benefit amount of \$50/week. The increased benefit amount is payable for weeks beginning on or after September 5, 2020. It expires immediately following the week that fully expends the \$87 million or the week beginning December 26th, whichever occurs first.

This provision became effective when it was signed into law, September 4, 2020.

H1105 - Coronavirus Relief Act 3.0.

Sec. 1.7: Purchasing Supplies and Materials During COVID-19 Pandemic. (SL 2020-97)

Section 1.7 of S.L. 2020-97 allows State departments, institutions, and agencies subject to Article 3 of Chapter 143 to obtain supplies, material, equipment, printing, or services to address the COVID-19 pandemic, including purchases that exceed the benchmark established under G.S. 143-53-1, without the authorization or approval of the Secretary of Administration. A report on COVID-19 expenditures must be made a matter of record promptly after the expenditures have been made. If the expenditure exceeds the benchmark established under G.S. 143-53.1, the report must be made promptly to the Division of Purchase and Contract.

This section applies to contracts entered into on or after September 4, 2020 and expires December 30, 2020.

(Also see summary of Section 13.1 of S.L. 2020-78 pertaining to amendments of the benchmark referenced in Section 1.7 of S.L. 2020-97.)

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.1: Average Daily Membership Hold Harmless. (SL 2020-97)

Sec. 3.1 of S.L. 2020-97, for the 2020-2021 fiscal year, prohibits the State Board of Education from reducing allocations to innovative schools, charter schools, regional schools, the North Carolina Virtual Public School, laboratory schools, virtual charter schools, and local school administrative units due to a discrepancy between the actual and anticipated average daily membership.

This section became effective September 4, 2020.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.2: Virtual Charter School Enrollment. (SL 2020-97)

Sec. 3.2 of S.L. 2020-97 authorizes schools participating in the State's virtual charter school pilot program to increase enrollment for the 2020-2021 school year. The North Carolina Cyber Academy is authorized to increase enrollment by 1,000 students and the North Carolina Virtual Academy is authorized to increase enrollment by 2,800 students.

For the 2021-2022 school year, each virtual charter school must give enrollment priority to students who were enrolled for the 2020-2021 school year prior to September 4, 2020. Each virtual charter school must provide an interim report by March 15, 2021, and a final report by November 15, 2021, to the Joint Legislative Education Oversight Committee on the impact of the increase in student enrollment.

This section became effective September 4, 2020.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.3: Changes to the Opportunity Scholarship Grant Program. (SL 2020-97)

Sec. 3.3 of S.L. 2020-97 makes several changes to the Opportunity Scholarship Grant Program (Program).

Remove Cap on K-1 Grade Funds – This section removes the cap on the amount of funds that can be used to award scholarship grants to eligible students entering kindergarten or first grade. For the 2020-2021 school year, from the funds that are made available by the removal of the restriction, the State Education Assistance Authority must award scholarship grants for the 2020 fall semester to provide alternative educational options during the COVID-19 pandemic, to eligible students who had applied for the scholarship grants for the 2020-2021 school year but had not been awarded scholarship grants as of September 4, 2020.

Change to Income Eligibility Threshold – This section also requires that a student eligible for the Program must reside in a household with an income level not in excess of 150% of the amount required for the student to qualify for the federal free or reduced-price lunch program.

EFFECTIVE DATE: This section became effective September 4, 2020. The removal of the cap on K-1 grade funds applies beginning with applications for scholarship grants for the 2020-2021 school year. The income eligibility change applies beginning with applications for scholarship grants for the spring semester of the 2020-2021 school year.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.15: Extend Applicability Period for Certain Division of Motor Vehicles Credential Extensions. (SL 2020-97)

Section 3.15 of S.L. 2020-97 amends the applicability period of some Division of Motor Vehicles credential extensions provided for by Section 4.7 of S.L. 2020-3. An explanation of the extensions, as originally enacted, can be found in the summary for S.L. 2020-3.

This section amends the applicability period for extensions of commercial drivers licenses, commercial learner's permits, handicapped placards, special identification cards, and inspection mechanic licenses issued by the Division of Motor Vehicles so that the extension applies to those credentials that expire between March 1, 2020, and the date 30 days after the date the Governor rescinds Executive Order No. 116 or issues another order lifting restrictions on Division functions. It also authorizes the Division to waive requirements for medical examinations and certifications for commercial drivers license and commercial learner's permit holders consistent with any waiver issued by the Federal Motor Carrier Safety Administration.

This section became effective August 1, 2020, and applies to expirations occurring on or after that date.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.16: Commercial Driver Intrastate Medical Waiver Extensions. (SL 2020-97)

Section 3.16 of S.L. 2020-97 amends the authorization for the Division of Motor Vehicles to extend intrastate medical waivers for commercial drivers issued by the Division provided for by Section 4.7 of S.L. 2020-3. An explanation of the provision, as originally enacted, can be found in the summary for S.L. 2020-3.

This section amends the authorization so that the Division may provide the extension for waivers that expire on or after March 1, 2020, and before the date 30 days after the date the Governor rescinds Executive Order No. 116 or issues another order lifting restrictions on Division functions.

This section became effective August 1, 2020, and applies to expirations occurring on or after that date.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.17: Division of Motor Vehicles Improvements Report. (SL 2020-97)

Section 3.17 of S.L. 2020-97 requires the Division of Motor Vehicles to report on improvements to operations and wait times at its offices. The Division was required to report to the Joint Legislative Transportation Oversight Committee on or before September 15, 2020, detailing improvements and on or before November 1, 2020, on the effects of the implemented changes.

This section became effective September 4, 2020.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.20: Reauthorize State Agency Regulatory Flexibility. (SL 2020-97)

Section 3.20 of S.L. 2020-97 is a reauthorization of regulatory flexibility given to State agencies by Section 4.38 of S.L. 2020-3 for the period of March 10, 2020, through August 1, 2020, in response to the Coronavirus emergency. This section authorizes State agencies to exercise regulatory flexibility to the maximum extent practicable during the Coronavirus emergency in order to protect the economic well-being of the citizens and businesses of the State, while also continuing to protect public health, safety, and welfare. For purposes of this section, "Coronavirus emergency" covers the time period beginning on August 1, 2020, and provides:

- State agencies, upon a determination that it is in the public interest to do so due to the impacts of the coronavirus, are authorized to:
 - Delay fees and fines collections.
 - Delay renewal dates of permits, licenses, certifications, and authorizations.
 - Delay or modify educational or examination requirements.
- State agencies must report to the Joint Legislative Administrative Procedure Oversight Committee, the Joint Legislative Commission on Governmental Operations, and the Office of State Budget and Management on its specific efforts to exercise regulatory flexibility.
- State agencies are authorized to adopt emergency rules for this purpose, without the simultaneous commencement of the temporary rule making process.

H1105 - Coronavirus Relief Act 3.0.

Sec. 3.21: Reextend Certain Local Government Approvals Affecting the Development of Real Property Within the State. (SL 2020-97)

Section 3.21 of S.L. 2020-97 provides that for any development approval that is current and valid at any point from September 2, 2020, and ending 30 days after Executive Order No. 116 is rescinded, the expiration date of the period of the development approval and any associated vested right is automatically extended 120 days from the expiration date. For any development approval that is extended, the holder of the development approval must do all of the following:

- Comply with all applicable laws and policies in effect at the time the development approval was originally issued.
- Maintain all performance guarantees that are imposed as a condition of the initial development approval for the duration of the period the development approval is extended or until affirmatively released from that obligation by the governmental entity.
- Complete any necessary infrastructure to obtain a certificate of occupancy or other final permit approval by the governmental entity.

Failure to comply with any condition in this section may result in termination of the extension of the development approval. Termination of an extension of a development approval may be appealed to the Board of Adjustment if the development approval was issued by a unit of local government with planning authority.

This section became effective September 4, 2020, and expires 30 days after Executive Order No. 116 is rescinded.

H1229 - Unemployment Insurance Program Integrity. (SL 2020-53)

S.L. 2020-53 appropriates two million dollars (\$2,000,000) for the 2019-2020 fiscal year to the Department of Commerce, Division of Employment Security, to strengthen the program integrity of the unemployment insurance program during the COVID-19 pandemic.

The act became effective June 30, 2020.

S105 - Clarify Emergency Powers. (Ratified)

Senate Bill 105 would have clarified that the Governor must seek a concurrence of the Council of State prior to exercising certain authorities under the Emergency Management Act.

Senate Bill 105 was ratified by the General Assembly on June 20, 2020, and was vetoed by the Governor on July 2, 2020.

S113 - Education Omnibus.

Sec. 3: Modification to the 2020-2021 School Calendar. (SL 2020-49)

S.L. 2020-49, Sec. 3 amended S.L. 2020-3, Sec. 2.11. Please see summary for S.L. 2020-3, Sec. 2.11 for complete summary.

S113 - Education Omnibus.

Sec. 10: Covid-19 Immunity for Nonpublic Schools. (SL 2020-49)

S.L. 2020-49, Sec. 10, grants limited immunity to nonpublic schools for claims related to tuition and fees paid for the 2019-2020 academic year that arise from alleged acts or omissions by the school between March 10 and July 1, 2020, in response to COVID-19. The immunity can be asserted if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the nonpublic school offered remote learning options for students to complete the academic year. The immunity cannot be asserted for losses or damages resulting solely from breach of an express contractual provision that allocated pandemic liability, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.

This section became effective June 29, 2020, and applies to actions commenced on or after that date.

S208 - COVID-19 Immunity/IHEs. (SL 2020-70)

S.L. 2020-70 creates a new Article in the General Statutes granting limited immunity for institutions of higher education (IHEs) for claims related to tuition and fees paid for the spring 2020 semester that arise from alleged acts or omissions by the IHE in response to COVID-19. IHEs can assert this immunity if the alleged acts or omissions were reasonably related to protecting the public health, safety, or welfare in response to COVID-19 executive orders or guidance from the Centers for Disease Control and Prevention, and if the IHE offered remote learning options for students to complete spring semester coursework.

IHEs cannot assert this immunity for losses or damages resulting solely from the breach of an express contractual provision that allocated liability in the event of a pandemic, or if the losses or damages were caused by an act or omission that was in bad faith or malicious.

This Article is limited to alleged acts or omissions occurring between March 10, 2020, and June 1, 2020. Additionally, provisions in the Article are severable if a court invalidates certain sections.

This act became effective July 1, 2020, and applies to all actions commenced on or after March 27, 2020.

S599 - Open Skating Rinks/Bowling Alleys. (Ratified)

OVERVIEW Senate Bill 599 would have done the following:

- Authorized existing skating rinks and bowling alleys to open and resume operations, provided specific conditions were met.
- Temporarily allowed minor league baseball stadiums with existing food and beverage establishments to have outdoor seating up to ten percent (10%) of the permanent seating capacity of the stadium, provided certain conditions were met.
- Allowed the Governor, with a concurrence of the majority of the Council of State, to exercise emergency powers to reclose the skating rinks and bowling alleys opened by Senate Bill 599, provided the concurrence was documented and released.
- Required the Secretary of Health and Human Services or the Secretary of Environmental Quality to notify the Governor, obtained a concurrence of a majority of the Council of State, and released that concurrence before issuing an order of abatement related to COVID-19 that required closure of skating rinks and bowling alleys.

Senate Bill 599 was ratified by the General Assembly on June 19, 2020, and vetoed by the Governor on July 2, 2020.

S681 - Agency Policy Directives/2019-2020.

Sec. 13.2: Department of Administration/Update E-Procurement System. (SL 2020-78)

Section 13.2 of S.L. 2020-78 requires the Department of Administration to submit a report on replacement of the State's E-Procurement System (System) no later than October 1, 2020, to the Joint Legislative Oversight Committee on General Government and the Joint Legislative Oversight Committee on Information Technology. The report must include all of the following:

- Description of the project.
- Interface capability.
- Activities undertaken to date.
- Itemized expenditures to date and itemized costs anticipated.
- Project implementation timeline and milestones completed.
- Compliance with statutory requirements for information technology projects.

This section became effective July 1, 2020.

S681 - Agency Policy Directives/2019-2020.

Sec. 16.1: Industrial Commission Use Electronic Mail to Send Decisions. (SL 2020-78)

Sec. 16.1 of S.L. 2020-78 allows decisions and orders issued by the North Carolina Industrial Commission to be sent by electronic mail.

This section became effective July 1, 2020 and applies to decisions and orders sent on or after that date.

S704 - COVID-19 Recovery Act .

Sec. 1.1: Waive Accrual of Interest on Deferred Payment of Corporate Income and

Franchise Tax and Individual Income Tax and Extend Certain Tax Related Deadlines. (SL 2020-3)

Section 1.1 of S.L. 2020-3 waives the accrual of interest on individual income tax and corporate income and franchise tax returns due on or before April 15, 2020, from April 15 until July 15. The relief applies to partnership and estate and trust tax returns, as well as estimated tax payments for 2020 due on or before April 15, 2020. It also extends certain tax-related deadlines.

CURRENT LAW AND BACKGROUND: The Department of Revenue is statutorily required to waive the penalty for late filing and payment of taxes for any period in which the time for filing a federal return or report or for paying a federal tax is extended because of a presidentially declared disaster. The Department does not have the statutory authority to waive the accrual of interest. In the wake of past disasters, although the late filing and payment penalties have been waived, the accrual of interest has not.

On March 13, 2020, the POTUS declared a national emergency concerning the COVID-19 outbreak under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. As part of that declaration, he instructed Secretary Mnuchin to provide relief from tax deadlines. On March 20, 2020, the United States Department of Treasury and the Internal Revenue Service announced that the time for filing federal income tax returns, as well as estimated tax payments for tax year 2020 that are due on April 15, 2020, was extended to July 15, 2020. The announcement stated penalties and interest will begin to accrue on any unpaid balances as of July 16, 2020.

On April 9, 2020, the IRS extended the following tax deadlines:

- The time for filing estimated tax payments due on or before June 15 to July 15.
- The time to request a refund of 2016 tax overpayments extended to July 15.
- The time to file certain petitions and requests for review due to be performed on or after April 1, 2020, and before July 15, 2020, extended to July 15.

On March 10, 2020, the Governor signed Executive Order 116 declaring a state of emergency in response to COVID-19. On March 17, the Department of Revenue announced penalty relief for taxpayers. On March 21, in response to the federal action, the Department announced it would extend the April 15 tax filing deadline to July 15 for individual income tax and corporate income and franchise taxes to mirror the announced deadline change from the IRS. The Department will not assess late action penalties if the returns are filed and payments made on or before July 15.

On March 31, 2020, the Department expanded penalty relief for failure to obtain a license, file a return, or pay tax that is due on March 15, 2020, through July 15, 2020, if the corresponding license is obtained, return is filed, or tax is paid on or before July 15, 2020. The tax relief applies to the following tax types:

- Withholding tax
- Sales and use tax
- Scrap tire disposal tax, white goods disposal tax, solid waste disposal tax, and dry-cleaning solvent tax
- Motor vehicle lease and subscription tax
- 911 service charge for prepaid telecommunications tax
- Primary forest product tax
- Freight car line companies
- Excise tax on alcohol, tobacco products, installment paper dealers
- Privilege tax
- Excise tax on motor carrier, motor fuel, alternative fuel and inspection tax

BILL ANALYSIS: Subsection 1.1(a) waives the accrual of interest from April 15, 2020, through July 15, 2020, on an underpayment of tax imposed on a franchise, corporate income, or individual income tax return, including a partnership and estate and trust tax return, due from April 15, 2020, through July 15, 2020. The relief from accrual of interest would also include estimated tax payments due on or before April 15, 2020; that would apply to the first and second quarter estimated taxes. The act does not waive the accrual of interest on the tax payment extension of the other tax types.

Subsections 1.1(b) and 1.1(c) extend certain tax-related deadlines in the same manner as the IRS extended certain federal tax-related deadlines in its notice published on April 9th:

- Subsection 1.1(b) gives taxpayers until July 15, 2020, to request an overpayment of individual income taxes and corporate income and franchise taxes for which the statute of limitations to seek a refund expires on or after April 15, 2020, and before July 15, 2020. Under the general statute of limitations in G.S. 105-241.6, the time for requesting an overpayment of a tax due on or before April 15, 2017, would be April 15, 2020. This subsection provides an exception to the general rule by allowing a taxpayer to make the request on or before July 15, 2020.
- Section 1.1(c) gives taxpayers additional time to meet certain administrative and judicial action dates if those dates for action are due to be performed on or after April 1, 2020, and before July 15, 2020. Those actions include requests for a Departmental review of a proposed denial of a refund or a proposed assessment of tax, a petition for a contested case hearing at the Office of Administrative Hearings when a taxpayer disagrees with a notice of final determination issued by the Department, and a petition seeking judicial review of a party aggrieved by the final decision in a contested case. The actions are considered timely if filed on or before July 15, 2020.

S704 - COVID-19 Recovery Act .

Sec. 1.2: Flexibility to Administer Unemployment Compensation and SUTA Tax Credit. (SL 2020-3)

Section 1.2 of S.L. 2020-3 authorizes unemployment insurance benefits (UI) for employees affected by the coronavirus emergency due to the ~~employer~~ temporarily ceasing operations or reducing hours or the ~~employee~~ being diagnosed with coronavirus or being quarantined by a health care provider or government official.

Section 1.2 of the act also grants employers a credit equal to the employer's first quarter UI tax due, effectively eliminating UI tax for the first quarter of 2020.

Section 1.2 of the act became effective May 4, 2020; applies retroactively beginning March 10, 2020; and expires on the earlier of: the rescission of Executive Order No. 116, Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID 19 or December 31, 2020.

S704 - COVID-19 Recovery Act .

Sec. 1.3: Unemployment Insurance Oversight Committee Recommendations. (SL 2020-3)

Section 1.3 of S.L. 2020-3 enacts one of the four recommendations of the Joint Legislative Oversight Committee on Unemployment Insurance. It allows an unemployment insurance (UI) claimant to satisfy a work search contact by attending a reemployment activity offered by a local career center.

The section became effective July 1, 2020.

S704 - COVID-19 Recovery Act .

Sec. 2.3: Tests and Assessment Waivers. (SL 2020-3)

Sec. 2.3 of S.L. 2020-3 does the following:

- Waives the end-of-grade and end-of-course tests for the 2019-2020 school year.
- Provides that public school units must administer the norm-referenced college admissions test that was made available by the State Board of Education (SBE) to all students who were in the 11th grade during the 2019-2020 school year to any student who was not administered the test during the 2019-2020 school year. The test must be administered during the fall semester of the 2020-2021 school year unless the student has already taken a comparable test and scored at or above a level set by the SBE.
- Waives any required diagnostic and formative reading assessments after March 16, 2020, for the 2019-2020 school year for kindergarten, first, second, and third grade students.
- Provides that, for the spring semester of the 2019-2020 school year, local school administrative units are not required to administer the WorkKeys test to any student who completes a concentration in career and technical education courses.

S704 - COVID-19 Recovery Act.

Sec. 2.4: School Performance, Annual Report Cards for Schools, Evaluation of Alternate Programs, and School Building Reports. (SL 2020-3)

Section 2.4 of S.L. 2020-3 creates exceptions to various requirements for the 2019-2020 school year due to lack of data collected during the COVID-19 pandemic.

Calculation and Issuance of School Performance Grades – The State Board of Education (SBE) is not required to display school report card information for the 2020-2021 school year, but must display a brief explanation that school report cards were not issued for the 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

Display of School Report Cards – Public school units are not required to display school report card information for the 2020-2021 school year, but must display a brief explanation that school report cards were not issued for the 2020-2021 school year because assessment data was not collected during the 2019-2020 school year due to COVID-19.

Evaluation of Alternative Programs – To the extent that education performance and growth of students in alternative schools and alternative programs are based on the measures used by the SBE to award school achievement, growth, and performance scores to each school within a local school administrative unit, education performance and growth of students in alternative schools and alternative programs will not be evaluated based on data from the 2019-2020 school year.

School Building Reports – The requirement for local school administrative units to produce and make public a school building report does not apply for the October 15, 2020, report based on building-level data from the 2019-2020 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 2.5: Low-Performing Schools. (SL 2020-3)

Section 2.5 of S.L. 2020-3 waives the requirement to identify new low-performing schools, new continually low-performing schools, and new low-performing local school administrative units. Instead, identifications must be maintained based on 2018-2019 data.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.6: Innovative School District. (SL 2020-3)

Section 2.6 of S.L. 2020-3 prohibits the State Board of Education from identifying any additional schools as qualifying schools for the Innovative School District based on data from the 2019-2020 school year. Any schools that were identified as qualifying schools for the 2019-2020 school year based on 2018-2019 school year data will remain on the qualifying list. The lowest scoring qualifying school in the State identified based on the school performance score calculated from 2020-2021 school year data, will become an innovative school in the 2022-2023 school year.

EFFECTIVE DATE: This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.7: Third Grade Retention, Reading Camps, and Fourth Grade Reading Assessment. (SL 2020-3)

Section 2.7 of S.L. 2020-3 makes the following changes to requirements related to third grade reading:

Third Grade Retention Determination – For grade level determination for the 2020-2021 school year, principals and charter schools have the authority to determine the appropriate 2020-2021 school year grade level for students who were in the third grade during the 2019-2020 school year in the same manner as for students in all other grade levels. Principals must designate whether a third grade student is retained due to reading deficiencies. Principals are encouraged to consult with a student's 2019-2020 third grade teacher in determining grade classification.

Parental Notice and Interventions – If a first, second, or third grade student demonstrated difficulty with reading development or was not reading at grade level during the 2019-2020 school year based on assessments completed on or before March 13, 2020, the parent or guardian must receive notice. Teachers and principals must provide opportunities, including, but not limited to information sessions, to discuss this notification with parents and guardians.

For third grade students retained for the 2019-2020 school year, no written reports on student progress are required after March 16, 2020.

For third grade students retained for the 2020-2021 school year, all requirements regarding successful reading development and notification of parents and guardians apply, except (i) encouraged enrollment in reading camps and (ii) notification of good cause exemptions from mandatory retention based on failing to demonstrate reading proficiency on a standardized test of reading comprehension.

Reading Camps – Local school administrative units are not required to provide reading camps corresponding to the 2019-2020 school year.

Fourth Grade Reading Assessment – No later than the tenth day that school buildings are open to students for the 2020-2021 school year, public school units must administer to all fourth grade students the third grade end-of-year diagnostic reading assessment. The results of the assessment will be used to identify reading deficiencies and inform instruction and remediation needs in order to ensure that all students achieve proficiency at the earliest date possible.

Reporting Requirements – For the 2020-2021 school year, accountability reporting published and reported by local boards of education based on data from the 2019-2020 school year is not required, except that by September 1, 2020, local boards of education must report to the State Board of Education (SBE) the following information:

- The number and percentage of first, second, and third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020.
- The number and percentage of third grade students retained due to reading deficiencies.

For the 2020-2021 school year, accountability reporting published and reported by charter schools based on data from the 2019-2020 school year is not required, except that by September 1, 2020, charter schools and other public school units subject to charter school statutory requirements must report to the SBE the following information:

- The number and percentage of third grade students on track and not on track to meet year-end expectations based on assessments completed on or before March 13, 2020.
- The number and percentage of third grade students retained due to reading deficiencies.

The SBE must compile the information reported and submit a State-level summary of each component by local school administrative unit and charter school to the Joint Legislative Education Oversight Committee by October 15, 2020.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.8: Advanced Courses in Mathematics. (SL 2020-3)

Section 2.8 of S.L. 2020-3 requires initial math placement for the 2020-2021 school year to be consistent with local policies, in consultation with the student's 2019-2020 math teacher. Students who are not initially placed in advanced math can opt to take the 2019-2020 end-of-grade or end-of-course test, and if they score at the highest level on the test, must be placed in advanced math for the 2020-2021 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 2.9: CPR Graduation Requirement Waiver. (SL 2020-3)

Section 2.9 of S.L. 2020-3 waives the cardiopulmonary resuscitation (CPR) graduation requirement for the 2019-2020 school year for any student in grade twelve who has not satisfied the requirement for completion of instruction in CPR. The student is still eligible to graduate if (i) CPR instruction cannot be completed because of the COVID-19 emergency, and (ii) the student is otherwise eligible to graduate.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.10: School Calendar for the 2019-2020 School Year. (SL 2020-3)

Section 2.10 of S.L. 2020-3 adjusts the instructional time requirements for the 2019-2020 school year by deeming that public school units that provided remote instruction have satisfied the minimum days and hours required by State law. For the purposes of this section, remote instruction is defined as learning that takes place outside of the traditional school setting using various media and formats, which can include video conference, telephone conference, print material, online material, or learning management systems. Each public school unit is required to continue remote instruction for the remainder of the 2019-2020 school year.

Additionally, for the 2019-2020 school year, the compulsory student attendance requirements do not apply beginning March 16, 2020.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.11: School Calendar for the 2020-2021 School Year. (SL 2020-3)

Sec. 2.11 of S.L. 2020-3, as amended by Sec. 3 of S.L. 2020-49, requires the following for school calendars for public school units in the 2020-2021 school year:

- Remote Instruction Plans. – Public school units must develop Remote Instruction Plans (Plans) for the 2020-2021 school year and submit the Plans to the State Board of Education (SBE) by July 20, 2020. The Plans must include information on how the units will deliver quality remote instruction to all students in the 2020-2021 school year, as well as information on teacher training, support for students and families, and engagement of community stakeholders.
- School Calendar. – The following requirements apply to the 2020-2021 school year only:
 - All public school units must adopt a calendar that includes 190 days of instruction meeting all of the following requirements:
 - 185 or 1025 hours of instruction that includes five remote instructional days in accordance with the remote instruction plan.
 - An additional five instructional days that can only be satisfied by individually separate and distinct full instructional days, not by hours.

- Local school administrative unit (LEA) calendars must meet the following additional requirements:
 - An opening date for students of August 17, 2020, except for defined year-round or modified calendar schools.
 - A closing date for students no later than June 11, 2021, except for defined year-round or modified calendar schools.
 - No remote instruction days scheduled prior to August 24, 2020.
- Required remote instruction days may be scheduled for use as teacher workdays.
- LEAs with good cause waivers cannot have an opening date for students earlier than August 17, 2020, but can use up to five additional remote instruction days for make-up days due to inclement weather or other emergency situations requiring closures.
- LEAs with qualifying year-round school calendars may make certain calendar modifications if needed for student health and safety.
- Public school units may use additional remote instruction days to satisfy instructional time requirements if the governing board determines remote instruction is needed to ensure student health and safety. The governing board must comply with required guidance from the SBE, Department of Health and Human Services, and Department of Public Instruction.

Reporting Requirement. – The SBE must report to the Joint Legislative Education Oversight Committee on the implementation of remote instruction by September 15, 2020.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.12: School Improvement Plans. (SL 2020-3)

Section 2.12 of S.L. 2020-3 provides a 6-month extension for school improvement plans set to expire at the end of the 2019-2020 school year. Those plans can remain in effect until December 31, 2020. The replacement plan will then expire in 18 months rather than 2 years.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.13: Principal Recruitment Supplement. (SL 2020-3)

Section 2.13 of S.L. 2020-3 provides that a school that is eligible to be in the Principal Recruitment Supplement Program (Program) in the 2019-2020 school year will continue to be an eligible school for the Program in the 2020-2021 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.14: Notification Requirement for Teacher Performance Data. (SL 2020-3)

Section 2.14 of S.L. 2020-3 waives the requirement during the 2020-2021 school year that principals notify teachers of updated Education Value-Added Assessment System data from the 2019-2020 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.15: Teacher Effectiveness Reporting Requirements. (SL 2020-3)

Section 2.15 of S.L. 2020-3 removes, for the 2020-2021 school year, the requirement that local school administrative units provide teacher effectiveness data from the 2019-2020 school year to the State Board of Education (SBE). The SBE is not required to include any disaggregated data on teacher effectiveness from the 2019-2020 school year in its December 15, 2020, report on the state of the teaching profession in North Carolina.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.16: Teacher Evaluation and Observation Requirements. (SL 2020-3)

Section 2.16 of S.L. 2020-3 permits annual teacher evaluations from the 2019-2020 school year to be based on (i) observations completed in the 2019-2020 school year prior to March 16, 2020, and (ii) other artifacts and evidence from the 2019-2020 school year. This section also waives any required observations not completed prior to March 16, 2020.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.17: Standardized Testing Requirements for Nonpublic Schools. (SL 2020-3)

Section 2.17 of S.L. 2020-3 waives requirements for the 2019-2020 school year for nonpublic schools to administer and maintain records of standardized tests.

This section became effective May 4, 2020

S704 - COVID-19 Recovery Act.

Sec. 2.18: Attendance and Calendar Requirements for Nonpublic Schools. (SL 2020-3)

Section 2.18 of S.L. 2020-3 waives requirements for nonpublic schools to (i) keep attendance records after March 16, 2020 for the 2019-2020 school year, and (ii) operate for at least nine calendar months in the 2019-2020 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 2.19: Standardized Testing and Reporting Requirements for Nonpublic Schools with Students Receiving Opportunity Scholarships. (SL 2020-3)

Sec. 2.19 of S.L. 2020-3 establishes that nonpublic schools that accept eligible students receiving scholarship grants are not required to do any of the following for the 2019-2020 school year:

- Provide the eligible student's scores on standardized achievement tests to the parent or guardian.
- Administer a nationally standardized test or other nationally standardized equivalent measurement to any eligible students in grades three and higher.
- Submit standardized test performance data from the 2019-2020 school year to the State Education Assistance Authority (SEAA).
- For nonpublic schools enrolling more than 25 students whose tuition and fees are paid in whole or in part with a scholarship grant, the following: (i) report to SEAA on the aggregate standardized test performance of eligible students, and (ii) provide standardized test performance data from the 2019-2020 school year to an independent research organization.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.20: Opportunity Scholarship Program Disbursement of Funds. (SL 2020-3)

Section 2.20 of S.L. 2020-3 allows the State Education Assistance Authority to use carryforward funds from the Opportunity Scholarship Program to remit scholarship grant funds by October 1, 2020, to a nonpublic school that was unable to complete a parent endorsement for those funds for the spring semester of the 2019-2020 school year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.21: Extension of K-12 Scholarship Program Report Dates. (SL 2020-3)

Section 2.21 of S.L. 2020-3 provides a one-month extension for the State Education Assistance Authority to submit the annual reports on the Opportunity Scholarship Grant Program and the Disabilities Grant

Program to the Joint Legislative Education Oversight Committee. The reports are now due on November 15, 2020.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.22: Educator Preparation Programs. (SL 2020-3)

Section 2.2. of S.L. 2020-3 makes the following changes for Educator Preparation Programs (EPPs):

- Waiver of Minimum EPP Admission Requirements. – The following minimum requirements for EPP admissions are waived for the 2020-2021 academic year:
 - The admissions testing requirement.
 - The individual grade performance average (GPA) requirement of at least a 2.7, provided the student has at least a 2.7 before beginning a clinical internship.
 - The cohort GPA requirement of at least a 3.0.
- Waiver of EPP Student Clinical Internship Requirement. – The EPP required clinical internship for Spring 2020 is deemed completed under certain conditions, including that the student meets the requirements on the certificate of teacher capacity and continues to work with a school to engage in remote learning as practicable.
- Pedagogy Assessments for Certain Teacher Candidates. – Students whose clinical internships are deemed completed for Spring 2020 cannot be required by the State Board of Education (SBE) to complete a pedagogy assessment as a requirement for completion of the EPP program for the 2019-2020 academic year. Those students will be required to attempt the pedagogy assessment by the end of their first year of licensure and must pass the assessment by the end of their third year of licensure.
- Waiver of the Report of Certain EPP Performance Data. – In submitting data to the SBE for the purposes of performance standards in 2020, EPPs are only required to report data that is practicably available from the 2019-2020 academic year, due to the lack of student assessment data and the closure of schools for in-person instruction.
- Use of Certain EPP Data Prohibited in Assigning Sanctions. – The SBE is prohibited from considering data that was not practicably available related to the 2019-2020 school year when assigning sanctions to an EPP.
- Suspension of EPP Report Card Publication. – Publication of EPP report cards on the SBE Web site for the 2019-2020 academic year is suspended. The SBE must, however, report the information to the Joint Legislative Education Oversight Committee.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.23: School Administrator Preparation Programs. (SL 2020-3)

Sec. 2.23 of S.L. 2020-3 allows certain statutory requirements for a school administrator enrolled in a school administrator preparation program that meets the approval standards established by the State Board of Education to be deemed completed for the 2019-2020 academic year.

The requirement that a candidate complete a year-long internship is deemed completed under the following conditions: (i) the candidate completed as much time in the internship as practicable before March 10, 2020,

(ii) the candidate would be unable to complete the preparation program by August 15, 2020, unless the internship is deemed completed, (iii) the candidate was engaged in administrative duties as practicable while schools were closed for the remainder of the 2019-2020 school year, and (iv) the candidate has otherwise met the competencies identified in the certification of capacity utilized by the preparation program.

The candidate must complete a portfolio for emerging leaders to demonstrate the application of his or her training to actual school needs and training to the extent practicable prior to the completion of the preparation program.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.24: Transforming Principal Preparation Grant Program Requirements. (SL 2020-3)

Section 2.24 of S.L. 2020-3 provides that the school leader clinical practice requirement under G.S. 116-209.72(a)(2)e. will be deemed completed for the 2019-2020 school year if the candidate (i) completed as much time in the clinical practice as practicable prior to March 10, 2020, and (ii) has been engaged in school leader duties as practicable while the school is closed for the remainder of the 2019-2020 school year.

Additionally, a grant recipient must not have grant funds retrieved for failure to require school leader candidates to complete a full-time paid clinical practice of at least five months and 750 hours in duration as part of the program during the 2019-2020 academic year.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.25: Teacher Licensure Requirements. (SL 2020-3)

Section 2.25 of S.L. 2020-3 provides the following extensions for teachers to meet licensure requirements set by the State Board of Education (SBE):

- Individuals in their first year of licensure, including those with an initial professional license (IPL), lateral entry license, or residency license (RL), who have not taken the examination required by the SBE as of March 10, 2020, can take the examination during their second year of licensure.
- Applicants for continuing professional licenses (CPLs) whose lateral entry licenses expired June 30, 2020, who have not met the examination and coursework requirements established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.
- Applicants for CPLs whose IPLs expired June 30, 2020, who have not met the examination requirement established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.
- Applicants for CPLs who are elementary education (K-6) or special education general curriculum teachers with IPLs or RLs who were previously granted extensions until June 30, 2020, and who have not met the examination requirement established by the SBE as of March 10, 2020, are provided an extension until June 30, 2021.

This section also provides that any teacher who is required to have at least eight continuing education credits for continuing licensure by June 30, 2020, has until June 30, 2021 to meet those requirements.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.26: Licensure Requirements for Other School Personnel. (SL 2020-3)

Section 2.26 of S.L. 2020-3 provides a one-year extension for both (i) licensure examination requirements set by the State Board of Education for school administrators and other school personnel and (ii) continuing education requirements required for licensure renewal by June 30, 2020 for school administrators.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 2.27: Community College Tuition Waiver for Students in Apprenticeship Programs. (SL 2020-3)

Sec. 2.27 of S.L. 2020-3 allows a student who has been unable to continue participation in a pre-apprenticeship or apprenticeship program due to the COVID-19 emergency to be eligible for a tuition waiver for community college courses in the student's documented plan of study related to a job-specific occupational or technical skill until December 31, 2020.

This section became effective May 4, 2020.

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Sec. 2.28: Waiver of Interest Charges on UNC Student Debt. (SL 2020-3)

Section 2.28 of S.L. 2020-3 prohibits a constituent institution from accruing or charging interest to a past due account receivable held by a student between March 13, 2020, and September 15, 2020.

This section became effective May 4, 2020.

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Sec. 2.29: Extension of UNC Report Dates. (SL 2020-3)

Section 2.29 of S.L. 2020-3 provides an additional 60 days to the Board of Governors of The University of North Carolina (BOG) to submit the following reports to the Joint Legislative Education Oversight Committee (JLEOC):

- The annual report due by April 15 each year on teacher education efforts at The University of North Carolina.

- The annual report due by April 15 each year on the supply and demand of school administrators to determine the number of school administrators to be trained in school administrator training programs within the constituent institutions of The University of North Carolina in each year of the fiscal biennium.
- The biennial report due by May 15 every two years on the goals for State operated health professional schools that offer training programs for licensure or certification of physician assistants, nurse practitioners, and nurse midwives for increasing the percentage of the graduates of those programs who enter clinical programs and careers in primary care.

This section also allows the BOG until June 15, 2020, to submit its annual report on the UNC-NCCCS 2+2 E Learning Initiative which is due by April 15 each year to the JLEOC, the State Board of Education (SBE), the Office of State Budget and Management, and the Fiscal Research Division. Finally, this section allows The University of North Carolina System Office until June 15, 2020, to submit its annual report on the UNC-NCCCS Joint Initiative for Teacher Education and Recruitment which is due by April 15 each year to the SBE, the BOG, the State Board of Community Colleges, the Education Cabinet, the JLEOC, and the Office of State Budget and Management.

This section became effective May 4, 2020.

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Sec. 3B.1: Affirmations of Actions Taken in Response to COVID-19. (SL 2020-3)

Section 3B.1 of S.L. 2020-3 expresses the General Assembly's support for the actions taken by the North Carolina Medical Board, the North Carolina Board of Nursing, other health care provider licensing boards, and the State's teaching institutions for health care providers in response to the COVID-19 emergency. The General Assembly also affirms its support for:

- Encouraging front line health care workers, law enforcement officers, and child care workers to have priority access to a COVID-19 vaccine when it is introduced.
- Pursuing all available federal waivers for child welfare.
- Providing flexibility to the State's teaching institutions for health care providers to ensure their students complete the necessary clinical hours.

The affirmations of support became effective May 4, 2020.

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Sec. 3C.1: Establishment of a State Stockpile for Personal Protective Equipment. (SL 2020-3)

Section 3C.1 of S.L. 2020-3 directs the Division of Public Health (DPH) and the Division of Health Service Regulation (DHSR) within the Department of Health and Human Services (DHHS), in conjunction with the North Carolina Division of Emergency Management within the Department of Public Safety to develop a plan for creating and maintaining a strategic state stockpile of personal protective equipment (PPE) and testing supplies. This plan must be submitted to the Joint Legislative Oversight Committee on Health and Human Services and the Joint Legislative Oversight Committee on Justice and Public Safety. The plan must include:

- Recommendations about which agency should lead the stockpile effort.
- Improvements to the state procurement process for PPE.
- Recommendations on who should have access to the stockpile.
- Ways to increase production of PPE within the state.
- Recommendations about procuring testing supplies.
- Potential locations for the stockpile.
- Recommendations about the source, type, quality, and quantity of PPE and testing supplies the State should maintain.
- An inventory mechanism.
- A five year budget.
- Any other items deemed necessary.

This section of the act became effective May 4, 2020.

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Sec. 3C.2: Priority Consideration of North Carolina-Based Companies. (SL 2020-3)

Section 3C.2 of S.L. 2020-3 directs the Department of Health and Human Services and the North Carolina Division of Emergency Management within the Department of Public Safety to first consider North Carolina-based companies that can provide mobile response units with capabilities to reach rural areas of the State during public health emergencies. This section of the act became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 3D.1: Dental Board Flexibility. (SL 2020-3)

Section 3D.1 of S.L. 2020-3 amends the Dental Practice Act to give the Board of Dental Examiners the authority to waive requirements of the Act and the Dental Hygiene Act during a declared state of emergency in order to permit the provision of dental care during the emergency.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 3D.2: Authorization for Dentists to Administer COVID-19 Tests. (SL 2020-3)

Section 3D.2 of S.L. 2020-3 amends the definition of the practice of dentistry in G.S. 90-29(b) to include the administration of COVID-19 diagnostic and antibody tests.

This section became effective May 4, 2020.

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Sec. 3D.3: Authorization Process for Immunizing Pharmacists to Administer COVID-19 Vaccinations/Immunizations. (SL 2020-3)

Section 3D.3 of S.L. 2020-3 allows any individual to petition the State Health Director to authorize immunizing pharmacists to administer a COVID-19 vaccine by means of a statewide order if one is approved by the CDC at a time when the General Assembly is not in session. The Director must consult with stakeholders before issuing a decision on the petition. The Director can issue a statewide standing order allowing immunizing pharmacists to administer a COVID-19 vaccine and makes any statewide standing order issued by the Director expire upon the adjournment of the next regular session of the General Assembly. The Director must develop and submit a minimum standard screening questionnaire and safety procedures for written protocols for the vaccine to the Joint Legislative Oversight Committee on Health and Human Services, the North Carolina Medical Board, the North Carolina Board of Nursing, and the North Carolina Board of Pharmacy within 10 days of approving the petition. If the Director does not do so, those protocols must be developed by the Immunization Branch of the Division of Public Health. The Director and any pharmacists administering COVID-19 vaccinations pursuant to the Director's order immune from civil and criminal liability.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 3D.4: Prescription Identification Requirements. (SL 2020-3)

Section 3D.4 of S.L. 2020-3 allows pharmacists to use the visual inspection of any government issued photo I.D. to identify patients picking up prescriptions. Pharmacists are also permitted to identify known customers by examining existing records. They must review a patient's history on the controlled substances reporting system before filling an initial prescription for a Schedule II controlled substance only if it were already required under existing law.

This section became effective May 4, 2020, and expires 60 days after Executive Order 116 is rescinded or December 31, 2020, whichever is earlier.

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Sec. 3D.5: Temporary Flexibility for Quality Improvement Plans . (SL 2020-3)

Section 3D.5 of S.L. 2020-3 prohibits the Medical Board and the Board of Nursing from enforcing any administrative rule that requires any of the following:

- Quality improvement meetings between a physician and a physician assistant or nurse practitioner who had been practicing prior to February 1, 2020, and was continuing to practice when the section is enacted.
- Monthly quality improvement meetings between a physician and a physician assistant or nurse practitioner during the first six months of the practice arrangement.
- Any quality improvement meetings or payment of a license fee by a physician assistant or nurse practitioner who is providing volunteer services in response to the COVID-19 pandemic.

- The annual renewal or review of any practice arrangement between a physician and a physician assistant or nurse practitioner.

This section became effective May 4, 2020, and expires December 31, 2021.

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Sec. 3D.7: Health Care Liability Protection for Emergency or Disaster Treatment. (SL 2020-3)

Section 3D.7 of S.L. 2020-3 grants health care facilities and providers immunity from civil or criminal liability for acts and omissions in the course of arranging health care services if all of the following apply:

- The services are provided pursuant to a COVID-19 emergency.
- The health care services are impacted by (1) a provider or facility's decisions in response to the COVID-19 epidemic, or (2) by the decisions or activities, in response to or as a result of the COVID-19 epidemic, of a health care facility or entity where a health care provider provides health care services.
- The health care facility or provider is arranging the services in good faith.

Immunity does not apply if the damages were caused by willful or intentional misconduct, gross negligence, reckless misconduct, or intentional infliction of harm on the part of the health care facility or provider. Volunteer organizations are immune from liability for damages that occur at their facility unless there was willful or intentional misconduct, gross negligence, reckless misconduct, or intentional infliction of harm on the part of the volunteer organization.

This section became effective May 4, 2020, and applies to acts or omissions occurring during the time of Executive Order No. 116 issued on March 10, 2020, by Governor Roy A. Cooper, and any subsequent time period during which a state of emergency is declared to be in effect during calendar year 2020.

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Sec. 3D.8: Temporarily Dispense and Use Controlled Substances at Additional Places of Business. (SL 2020-3)

Section 3D.8 of S.L. 2020-33 allows licensed hospitals, nursing homes, and clinics to dispense controlled substances at additional business locations, provided they followed a registration process developed by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services of the North Carolina Department of Health and Human Services.

This section became effective May 4, 2020, and expires 60 days after Executive Order No. 116 is rescinded, or December 31, 2020, whichever is earlier.

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Sec. 3D.9: Pre-Procedure COVID-19 Test Result Reporting. (SL 2020-3)

Section 3D.9 of S.L. 2020-3 requires healthcare providers to report the results of COVID-19 testing performed prior to non emergency surgery to the Commission for Public Health.

This section became effective May 4, 2020.

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Sec. 3D.6: Pandemic Health Care Workforce Study. (SL 2020-3)

Section 3D.6 of S.L. 2020-3 charges the North Carolina Area Health Education Center (NC AHEC) with studying the issues that impact health care delivery and the health care workforce during a pandemic, including issues that need to be addressed in the aftermath of this pandemic and plans that should be implemented in the event of a future health crisis. Input must be solicited from all relevant stakeholders. Issues to be examined include:

- Adequacy of the health care workforce supply to respond to a pandemic by setting.
- Adequacy of the health care workforce supply to address the COVID-19 surge.
- Adequacy of the health care workforce training, by setting.
- Impact of the COVID-19 pandemic on communities with preexisting workforce shortages.
- Impact of Personal Protective Equipment (PPE) availability on the health care workforce, by setting.
- Sufficiency of support mechanisms for the health care workforce.
- Impact of postponing or eliminating nonessential services and procedures on the health care workforce.
- Impact of postponing or eliminating nonessential services and procedures on hospitals, particularly rural hospitals.
- Interruptions on the delivery of routine health care during the COVID-19 pandemic.
- Impact of the COVID-19 pandemic on the delivery of behavioral health services.
- Ability of telehealth options to deliver routine and emergent health and behavioral health services to patients.
- Impact of telehealth on hospitals during the COVID-19 pandemic.
- Support necessary to resume health care delivery to pre pandemic levels.
- Ability of the health care workforce and health care delivery structure to respond to the needs of minority populations, individuals with health disparities, and individuals and communities with increased health risks during a pandemic.
- Impact of the COVID-19 pandemic, including concerns surrounding PPE availability, on current health sciences students and implications for future students contemplating a career in health sciences.

The NC AHEC must report findings and recommendations to the House Select Committee on COVID-19, Health Care Working Group, on or before November 15, 2020. The NC AHEC is also authorized to report subsequent study findings and recommendations, as appropriate, to the Joint House Appropriations Subcommittee on Health and Human Services, the Senate Appropriations Committee on Health and Human Services, and the Joint Legislative Oversight Committee on Health and Human Services.

This section became effective May 4, 2020.

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Sec. 3E.1: Extension of Time for Establishing Connectivity to the State's Health Information Exchange. (SL 2020-3)

Section 3E.1 of S.L. 2020-3 extends the deadline from June 1, 2020, to October 1, 2021, for most providers and entities to begin submitting demographic and clinical data to the Health Information Exchange Network and make other conforming changes.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 3E.2: Temporary Waiver of Three-Year Fingerprinting Requirement/Child Care Providers/Adoptions/Foster Care. (SL 2020-3)

Section 3E.2 of S.L. 2020-3 temporarily waives the requirement that all child care providers complete a fingerprint based criminal history check every three years and clarifies that name based background checks must continue to be performed in accordance with Federal law. Fingerprint checks would be resumed 60 days after Executive Order 116 is rescinded. The Department of Health and Human Services is also required to temporarily waive fingerprint background checks for adoptions, foster care, or child care institutions. Name based background checks must continue to be performed in accordance with Federal law. Fingerprint checks would be resumed 60 days after Executive Order 116 is rescinded.

This section became effective May 4, 2020, and expires 60 days after Executive Order 116 is rescinded or December 31, 2020, whichever is earlier.

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Sec. 3E.3: Modification of Facility Inspections and Training to Address Infection Control Measures for COVID-19. (SL 2020-3)

Section 3E.3 of S.L. 2020-3 instructs the Division of Health Service Regulation (DHSR), the Department of Health and Human Services, and local departments of social services to suspend all annual inspections, regular monitoring requirements, and adopted rules for licensed facilities for persons with disabilities or substance use disorders, adult care homes, hospitals, health care facilities licensed under Article 6 of Chapter 131E, and hospices. Annual inspections, regular monitoring requirements, or adopted rules deemed necessary by DHSR to avoid serious injury or death, or as directed by CMS, are not suspended. DHSR must review the compliance history of facilities for persons with disabilities or substance use disorders and adult care homes found to be in violation, assessed penalties, or placed on probation within the six month period preceding the beginning of the COVID-19 emergency for noncompliance with rules or CDC guidelines regarding infection control or the proper use of personal protective equipment. Employees of these facilities must undergo immediate training, permissible by video conference, about infection control and the proper use of personal protective equipment.

This section became effective May 4, 2020, and expires 60 days after Executive Order 116 is rescinded or December 31, 2020, whichever is earlier.

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Sec. 3E.4: Allow Temporary Waiver of 72-Hour Pre-Service Training Requirement/Child Welfare Staff. (SL 2020-3)

Section 3E4 of S.L. 2020-3 allows the Department of Health and Human Services, Division of Social Services, to waive the 72-hour requirement of preservice training before child welfare services staff assumes direct client contact responsibilities. The Division is authorized to use web-based training in order to meet preservice training requirements.

This section became effective May 4, 2020, and expires 60 days after Executive Order 116 is rescinded or December 31, 2020, whichever is earlier.

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Sec. 3E.1(b): Technical Correction to COVID-19 Recovery Act. (SL 2020-3)

Section 3E.1(b) in S.L. 2020-3, as may have been amended by Section 3 of S.L. 2020-32, Section 4 of S.L. 2020-49, Section 1.1(d) of S.L. 2020-80, Section 3B(b) of S.L. 2020-88, and Section 4.9(a) of S.L. 2020-91, is amended by Section 3.7B(b) of S.L. 2020-97 to change the reference in the introductory language from G.S. 90-414(a2) to G.S. 90-414.4(a2).

This section became effective May 4, 2020.

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Sec. 3F.1: Expanded Use of Telehealth to Conduct First and Second Involuntary Commitment Examinations. (SL 2020-3)

Section 3F.1 of S.L. 2020-3 allows the first and second examinations, respectively, to be conducted via telehealth, provided that the commitment examiner is reasonably certain that a different result would not have been reached in a face to face examination.

This section became effective May 4, 2020, and expires 30 days after Executive Order 116 is rescinded.

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Sec. 3F.2: Increased Access to Telehealth Under the Medicaid Program. (SL 2020-3)

Section 3F.2 of S.L. 2020-3 states that the General Assembly urges the Centers for Medicaid and Medicare to provide coverage for health care provided through audio only communication.

This section became effective May 4, 2020.

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Sec. 4.1: Emergency Video Notarization. (SL 2020-3)

Section 4.1 of S.L. 2020-3, as amended by Section 27 of S.L. 2020-74, does all of the following:

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Sec. 4.2: Emergency Video Witnessing. (SL 2020-3)

Section 4.2 of S.L. 2020-3, as amended by Section 27 of S.L. 2020-74, authorizes a person to witness a principal sign a document by using video conference technology and treats the attesting witness as having signed the document in the presence of the principal if all of the following apply:

- The video conference technology allows for direct, real time audio and video interaction between each principal signer and the witness.
- During that period of direct, real time audio and video interaction, the principal's signature is witnessed by the attesting witness and the attesting witness immediately thereafter signs the document.
- The principal and witnesses are physically located in North Carolina when the document is executed.

This section became effective May 4, 2020, and, as amended by Section 27 of S.L. 2020-74, expires on March 1, 2021.

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Sec. 4.3: Masks & Hoods for the Protection of Health. (SL 2020-3)

Section 4.3 of S.L. 2020-3, as amended by Section 2 and Section 3 of S.L. 2020-93, clarifies that masks may be worn on certain public and private premises to ensure the physical health or safety of the wearer or others, but requires the wearer to remove that mask upon the request of a law enforcement officer during a traffic stop or when the officer has reasonable suspicion or probable cause during a criminal investigation.

Section 4.3 of S.L. 2020-3 became effective May 4, 2020 and initially included an expiration date of August 1, 2020. However, Sections 2 and 3 of S.L. 2020-93, which became law July 10, 2020, clarified language regarding the wearing of mask and hoods for the protection of health and removed the August 1, 2020, expiration date initially included in Section 4.3 of S.L. 2020-3.

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Sec. 4.4: Clarify Electronic Signatures for Search Warrants and Certain Court Orders. (SL 2020-3)

Section 4.4 of S.L. 2020-3, clarifies that any signature required for the issuance of a search warrant or any judicial order issued following a court hearing conducted by remote audio or visual transmission in a civil or criminal case, may be signed by use of an electronic signature.

This section became effective on May 4, 2020, and expired on August 1, 2020.

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Sec. 4.5: Extend Time Period to Claim Lottery Prizes.. (SL 2020-3)

Section 4.5 of S.L. 2020-3 allows a lottery prize winner to submit a delayed claim for a lottery prize that is expiring between March 10, 2020, and August 1, 2020. The claim must be submitted no later than November 1, 2020.

EFFECTIVE DATE: This section became effective May 4, 2020.

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Sec. 4.6: Lottery Commission Report. (SL 2020-3)

Section 4.6 of SL 2020-3 requires the NC State Lottery Commission to submit a report on the impact of COVID-19 that contains the elements outlined below.

- The impact on sales of lottery games, including county-level data.
- The impact on revenues.
- The impact on retailers, included changes to the number of retailers.
- The impact on expenses of the lottery.
- The impact on transfers of net revenue under the law (G.S. 18C-64) that defines the net revenues for the NC State Lottery Fund and requires that they be transferred at least four times a year to the Education Lottery Fund.

The report must be submitted to the Joint Legislative Oversight Committee on the North Carolina State Lottery and the Fiscal Research Division on or before September 1, 2020.

This section became effective May 4, 2020.

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Sec. 4.7: Division of Motor Vehicles/Extend Deadlines. (SL 2020-3)

Section 4.7 of S.L. 2020-3 extends for five months the validity of listed credentials issued by the Division of Motor Vehicles that expire on or after March 1, 2020, and before August 1, 2020. It also:

- Authorizes the Division to extend validity of intrastate medical waivers that expire during the same time frame for up to five months if the Division's Medical Review Unit determines extension is appropriate.
- Extends the validity of driving eligibility certificates dated on or after February 9, 2020, and before March 10, 2020.
- Waives fines, fees, and penalties associated with failing to renew an extended credential.
- Extends the corresponding due date for motor vehicle taxes on vehicles for which registrations have been extended.

- Provides a defense for any person charged with an offense resulting from failure to renew a credential when that credential is valid by extension.
- Requires the Division to report to the Joint Legislative Transportation Oversight Committee and Fiscal Research on the implementation of the extensions.

The applicability period for some of these extensions was amended by Sections 3.15 and 3.16 of S.L. 2020-97. An explanation of those sections can be found in the summary for that act.

This section became effective March 1, 2020, and applies to expirations occurring on or after that date.

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Sec. 4.8: Delay Division of Motor Vehicles Headquarters Move. (SL 2020-3)

Section 4.8 of S.L. 2020-3 delays the Division of Motor Vehicles Headquarters move. A provision enacted in S.L. 2018-5 directed all workers at the Division of Motor Vehicles Headquarters in Raleigh to vacate the property by October 1, 2020. This section amends that provision, requiring that they only begin to vacate by that date.

This section became effective May 4, 2020.

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Sec. 4.9: Department of Transportation Emergency Reserve Modification. (SL 2020-3)

Section 4.9 of S.L. 2020-3 amends requirements regarding the Transportation Emergency Reserve. The law establishing the Transportation Emergency Reserve requires the Department of Transportation to transfer \$125 million to the Emergency Reserve from the Highway Fund by July 30 of each fiscal year. This section provides that the Department does not have to transfer funds to the Reserve for the 2020-2021 fiscal year.

This section became effective May 4, 2020.

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Sec. 4.10: Witness Requirement During State of Emergency/Health Care Power of Attorney and Advanced Directive for Natural Death. (SL 2020-3)

Sec. 4.10 of S.L. 2020-3 amends the statutes related to health care powers of attorney and advanced directives for a natural death declaration to waive the requirement that the principal's signature be executed in the presence of two qualified witnesses. This waiver applies if the document is signed by the principal, properly acknowledged before a notary, and contains a short and plain statement indicating that the instrument was executed in accordance with this section. The waiver applies to those documents executed on or after May 4, 2020, and it expired on August 1, 2020.

This section became effective May 4, 2020.

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Sec. 4.11: Adult Guardianship Service. (SL 2020-3)

Section 4.11 of S.L. 2020-3 temporarily amended the law pertaining to service of the notice and petition for incompetency. This section of the act allowed a sheriff to serve process on a resident of a facility that restricts visitors during a public health emergency by leaving a copy of the notice of hearing and petition with the employee of the facility who appears to be in charge of the office or who has apparent authority to receive documents intended for residents. The employee is required to present the documents to the resident respondent as soon as possible. Proof of service would be filed with the clerk showing how the respondent was served.

This section became effective May 4, 2020, and expired August 1, 2020.

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Sec. 4.12: Disbursement of Funds Prior to Recordation of Deed in Certain Circumstances. (SL 2020-3)

Section 4.12 of S.L. 2020-3 allows disbursement of closing funds prior to the recordation of deeds, deeds of trust, and other loan documents if certain conditions are met.

Section 4.12 of S.L. 2020-3 became effective May 4, 2020, and expired August 1, 2020.

Section 4.12(b) of S.L. 2020-3, as enacted by S.L. 2020-80, Section 2.8, changes the expiration date from August 1, 2020 to March 1, 2021.

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Sec. 4.13: Marriage Licenses. (SL 2020-3)

Section 4.13 of S.L. 2020-3 allows any register of deeds, who can positively identify each applicant for a marriage license to issue a marriage license via remote audio video communication during a declaration of emergency issued under G.S. 166A-19.20. This section also extends the time from 60 days to 120 days from the date of the issuance of a marriage license to celebrate the marriage in any place within the State.

This section became effective on May 4, 2020, and applies to any marriage license issued on or after February 1, 2020, and expires August 1, 2020, and any marriage license issued on or before that date must be valid for 120 days.

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Sec. 4.14: Limited Business Immunity for Essential Businesses. (SL 2020-3)

Sec. 4.14 of S.L. 2020-3 provides civil liability immunity for a limited time to:

- Essential businesses with respect to employee or customer claims for injury or death alleged to have been caused by contracting COVID-19 while doing business with or employed by the essential business.
- Emergency response entities with respect to customer, user, or consumer claims for injury or death alleged to have been caused by the COVID-19 pandemic or while doing business with the emergency response entity.

As used in this section, the term "essential business" means businesses, not-for-profit organizations, educational institutions, and governmental entities identified in Executive Order No. 121 issued on March 27, 2020, as amended by executive order, and the term "emergency response entity" means businesses, not-for-profit organizations, educational institutions, and governmental entities that manufacture, produce, or distribute personal protective equipment, testing equipment, or ventilators, or process COVID-19 testing results.

This section does not apply to claims based on acts or omissions constituting gross negligence, reckless misconduct, or intentional infliction of harm, and does not preclude an employee of an essential business or emergency response entity from seeking an appropriate remedy under the Workers' Compensation Act for injuries or death alleged to have been caused as a result of the employee contracting COVID-19 while employed by the essential business or emergency response entity.

These provisions for immunity from civil liability apply to acts or omission occurring after March 27, 2020 and expire upon the rescission or expiration of the COVID-19 emergency declaration (Executive Order No. 116) issued on March 10, 2020.

Section 2 of S.L. 2020-89 (House Bill 118) states that nothing in that act affects the immunity provided by this section.

This section became effective on May 4, 2020 and applies to claims filed on or after March 27, 2020.

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Sec. 4.15: Expand the Definition of Security Guard and Patrol Profession to Include Security Services Providers at State Prisons. (SL 2020-3)

Sec. 4.15 of S.L. 2020-3, as amended by Sec. 2 of S.L. 2020-15, does all of the following:

- Expands the definition of "security guard and patrol profession" in the Private Protective Services Act to include the provision of certain security services at State prison facilities.
- Requires any licensed security guard and patrol professional employed to provide security services at a State prison facility be trained in State prison policies.
- Establishes the scope of authority of licensed security guards and patrol professionals employed to provide security services at State prison facilities.

This section became effective May 4, 2020, and, as amended by Section 2 of S.L. 2020-15, expires upon the earlier of August 1, 2022, or the date of completion of the Youth Development Center in Rockingham County.

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Sec. 4.16: New Attorneys' Oath. (SL 2020-3)

Sec. 4.16 of S.L. 2020-3, authorizes a justice or judge of the General Court of Justice to remotely administer the oaths prescribed for attorneys using a form of live video conferencing technology provided the attorney taking the oath is personally known to the justice or judge or the attorney provides satisfactory evidence of identity.

This section became effective May 4, 2020, and expires December 1, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.17: Communicable Disease Information Law Enforcement. (SL 2020-3)

Sec. 4.17 of S.L. 2020-3 creates exceptions for the release of confidential communicable disease health information by the Department of Health and Human Services (DHHS) or a local health department to a law enforcement official in order to prevent or lessen a serious or imminent threat to the health or safety of a person or the public to the extent allowed under HIPPA, or to enforce the communicable disease and health laws of the State. This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.18: Allow Licensed Soil Scientists to Evaluate, Inspect, and Approve On-Site Wastewater System Projects During the Coronavirus Emergency. (SL 2020-3)

Sec. 4.18 of 2020-3 authorized an individual licensed as a soil scientist to prepare signed and sealed soil and site evaluations, specifications, plans, and reports for the site layout, construction, operation, and maintenance of a wastewater system without needing any further certification from the North Carolina On-Site Wastewater Contractors and Inspectors Board. While this section was effective, a licensed soil scientist was also authorized to conduct all necessary inspections, certifications, and approvals, including the issuance of the final inspection and report. Such authority was at the direction of the owner of a proposed on-site wastewater.

EFFECTIVE DATE: This section became effective May 4, 2020, and expired August 1, 2020. However, the expiration of this section does not prevent a licensed soil scientist acting under this section's authority from completing a proposed wastewater system begun before this section expired.

S704 - COVID-19 Recovery Act.

Sec. 4.21: State Health Plan Premium and Debt Payment Deferral Option During Declaration of Emergency. (SL 2020-3)

Section 4.21 of S.L. 2020-3 authorizes the State Treasurer, with approval of the Board of Trustees for the State Health Plan, to give certain members or employing units the option to defer premium or debt payment when there is a state of disaster or emergency. This section was effective retroactively to January 1, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.22: Interim Determinations and Interim Certifications for Certain Disability Benefits. (SL 2020-3)

Sec. 4.22 of S.L. 2020-3 allowed the Director of the Retirement Systems Division of the Department of State Treasurer, or designee, to make an interim determination or interim certification that a member or beneficiary is eligible for disability benefits. However, the Director or designee is not allowed to make an interim determination or interim certification that the member or beneficiary is not eligible. The medical board is required to review any interim determinations or interim certifications as soon as practicable and to make a final determination or final certification. If, subsequent to the interim determination or interim certification, the medical board makes a determination or certification that the member or beneficiary is not eligible for disability benefits, then any payment to that member or beneficiary will cease and the determination will be applied prospectively so that the final determination will not require any refund by the member or beneficiary for benefits received during the interim determination period.

This section became effective May 4, 2020 and the language allowing interim determinations or interim certifications expired August 1, 2020. Any interim determination or interim certification made under the authorization of this section remains valid until a final determination is made in accordance with the section.

S704 - COVID-19 Recovery Act.

Sec. 4.23: Temporarily Remove Barriers to Allow Retirees of the Teachers' and State Employees' Retirement System and the Local Government Employees' Retirement System to Return to Work on a Part-Time, Temporary, or Interim Basis During State of Emergency Related to COVID-19. (SL 2020-3)

Section 4.23 of S.L. 2020-3, as amended by Section 9 of S.L. 2020-74 and Section 1.1(f) of S.L. 2020-80, temporarily changes the six month separation requirement for Teachers' and State Employee's Retirement System (TSERS) retirees to a one-month separation and applies to individuals retiring on or after October 1, 2019, but before April 1, 2020, who return in a position needed due to COVID-19. This section temporarily lifts the earnings caps for TSERS and Local Governmental Retirement System (LGRS) retirees from March 10, 2020 until expiration for those retirees who retired prior to April 1, 2020 and return in a position needed due to COVID-19. This section also requires that any work performed between March 10, 2020, and the time that this section expires does not impact a law enforcement officer's special separation allowance benefits if the officer returns in a position needed due to COVID-19. This section became effective May 4, 2020, and expired on August 31, 2020.

S704 - COVID-19 Recovery Act.

Sec. 4.24: Flexibility to Waive Interest on Procurement. (SL 2020-3)

Section 4.24 of S.L. 2020-3 authorizes a State agency to waive any interest due on a past due account receivable. This section does not apply to money owed to the University of North Carolina Health Care System or to East Carolina University's Division of Health Sciences for health care services, to the North Carolina Turnpike Authority for money owed to the Authority for tolls, or to the North Carolina State Health Plan for past due account receivables related to premiums and claims payments. This section became effective May 4, 2020, and expired on August 1, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.25: Provide for the Rescheduling of Public Hearings During Temporary Rule Making. (SL 2020-3)

Section 4.25 of S.L. 2020-3 amends a State agency's authority and procedure for adopting a temporary rule by requiring an agency to publish an additional notice, for a proposed temporary rule hearing that has been cancelled, at least five days prior to a new rescheduled hearing date.

This section became effective retroactively to March 10, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.26: Authorize the Chief Administrative Law Judge to Extend the Time Period for the Filing of Contested Cases During Catastrophic Conditions. (SL 2020-3)

Section 4.26 of S.L. 2020-3 authorizes the chief administrative law judge by order to extend the time period for the filing of contested cases during catastrophic conditions when the Chief Justice of the North Carolina Supreme Court determines and declares that catastrophic conditions exist or have existed in one or more counties of the State and issues an order pursuant to G.S. 7A 39(b). The extension must be to a date certain no fewer than 10 days after the effective date of the order, the time or period of limitation, whether established by another statute or this section, for the filing of a petition for a contested case. The order must be in writing and must become effective for each affected county upon the date set forth in the order, and if no date is set forth in the order, then upon the date the order is signed by the chief administrative law judge. The order shall provide that it expires upon the expiration of the Chief Justice's order.

This section became effective retroactively to March 10, 2020.

S704 - COVID-19 Recovery Act.

Sec. 4.27: Clarify "Available for Public Inspection" / Local Government Budget Process. (SL 2020-3)

Sec. 4.27 of S.L. 2020-3, does all of the following:

- Requires the budget officer of a unit of local government to file a copy of the unit's proposed budget directly with the clerk to the unit's governing board.
- Authorizes the clerk to post a copy of the proposed budget on the Web site of the unit of local government and requires the clerk to make the proposed budget available for public inspection.

This section became effective May 4, 2020, and expired on August 1, 2020.

S704 - COVID-19 Recovery Act.

Sec. 4.28: Daily Deposit Requirement Under The Local Government Budget And Fiscal Control Act. (SL 2020-3)

Section 4.28 of S.L. 2020-3 permits the Secretary of the Local Government Commission to set the amount of money local governments keep on hand that require daily deposit during a declared emergency. This section authorizes the Secretary to allow less than daily but no fewer than weekly deposits provided the money is maintained in a secure location.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 4.29: Local Government Commission Revisions. (SL 2020-3)

Section 4.29 of S.L. 2020-3 requires local finance officers to submit statements of financial information concerning COVID-19 impacts on local finances to the Local Government Commission (LGC) by February 15, 2021. The section requires the LGC to submit a report of this financial information and any recommended legislation to the Joint Legislative Committee on General Government and the Fiscal Research Division by March 15, 2021.

The section became effective May 4, 2020. The provisions addressing the COVID-19 financial information expire February 15, 2021, and the provision addressing the LGC report expires March 15, 2021.

S704 - COVID-19 Recovery Act .

Sec. 4.30: Reinstate Special Obligation Bonds. (SL 2020-3)

Section 4.30 of S.L. 2020-3 reauthorizes counties and municipalities to issue special obligation bonds and notes. Former Chapter 159I of the General Statutes primarily concerned solid waste management program funding; however, one section of the Chapter, G.S. 159I-30, more broadly authorized counties and municipalities to issue special obligation bonds and notes not only for solid waste projects, but also for water projects, wastewater projects, and, for municipalities, any project authorized under G.S. 160A-536 provided in a municipal service district. Session Law 2019-32 repealed Chapter 159I in its entirety, effective July 1, 2019, inadvertently eliminating the broader special obligation bond authority used by local units of government for a variety of the authorized purposes. Section 4.30(a) reinstates this authority and recodifies it under Chapter 159, where other forms of local government indebtedness are authorized. Sections 4.30(b)-(h) make conforming changes to statutes affected by the recodification.

This section became effective retroactively to July 1, 2019.

S704 - COVID-19 Recovery Act.

Sec. 4.31: Public Bodies/Remote Meetings During Declared Emergencies. (SL 2020-3)

Section 4.31 of S.L. 2020-3, establishes clear authority for public bodies to meet remotely during times of gubernatorial or legislatively declared emergencies, effective May 4, 2020, and applying to any such declaration of emergency in effect on or after that date.

S704 - COVID-19 Recovery Act.

Sec. 4.32: Extend the North Carolina Child Well-Being Transformation Council. (SL 2020-3)

Section 4.32 of S.L. 2020-3 amended Section 24.1(i) of S.L. 2018-5 to extend the time for the North Carolina Child Well-Being Transformation Council to submit their final report from June 30, 2020 to August 1, 2020.

This act became law on May 4, 2020.

S704 - COVID-19 Recovery Act.

Sec. 4.33: Extend Effective Date of Chapter 160D of the General Statutes. (SL 2020-3)

Sec. 4.33 of S.L. 2020-3, delayed the effective date of Chapter 160D of the General Statutes, the consolidated land use planning and development statutes, from January 1, 2021, to August 1, 2021. This section became effective May 4, 2020, but was repealed effective June 19, 2020, by Sec. 51 of S.L. 2020-25, which also made Chapter 160D effective June 19, 2020, and applicable to local government development regulation decisions made on or after the earlier of:

- (1) The effective date of the amendments to local development regulations made to conform to the provisions of Part II of S.L. 2019-111, or
- (2) July 1, 2021.

S704 - COVID-19 Recovery Act.

Sec. 4.34: Floodplain Maps by Incorporation into Local Ordinances. (SL 2020-3)

Section 4.34 of S.L. 2020-3 allows land use development ordinances adopted by a county or city to reference or incorporate by reference flood insurance rate maps, watershed boundary maps, or other maps officially adopted or promulgated by State and federal agencies and authorizes those ordinances or zoning maps to incorporate by reference the most recent officially adopted version of such maps. This section also authorizes land use development ordinances to provide that the zoning district boundaries are automatically amended to remain consistent with changes in the officially promulgated State or federal maps, provided a copy of the currently effective version of any incorporated map is maintained for public inspection by the county or city. This section became effective May 4, 2020, and expires August 1, 2021.

S704 - COVID-19 Recovery Act.

Sec. 4.35: Extend General Statutes Commission Report. (SL 2020-3)

Section 4.35 of S.L. 2020-3 changes the reporting date for the General Statutes Commission report and recommendations on the local government ordinances and North Carolina Administrative Code rules that criminalize conduct required by S.L. 2019-198 from May 1, 2020 to March 1, 2021. This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.37: Extend the Joint Legislative Study Committee on Small Business Retirement Options. (SL 2020-3)

Section 4.37 of S.L. 2020-3 made the committee's March 2020 report an interim report and allowed the Committee to submit a final report by December 1, 2020. This section also changed the date by which the Committee would terminate to August 1, 2020 or when the final report was submitted, whichever occurs first.

This section became effective retroactively to March 31, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.38: Authorize State Agency Regulatory Flexibility. (SL 2020-3)

Section 4.38 of S.L. 2020-3 authorized State agencies to exercise regulatory flexibility to the maximum extent practicable during the Coronavirus emergency in order to protect the economic well-being of the citizens and businesses of the State, while also continuing to protect public health, safety, and welfare.

- State agencies, upon a determination that it is in the public interest to do so due to the impacts of the coronavirus, were authorized to:
 - Delay fees and fines collections.
 - Delay renewal dates of permits, licenses, certifications, and authorizations.
 - Delay or modify educational or examination requirements.
- State agencies must report to the Joint Legislative Administrative Procedure Oversight Committee, the Joint Legislative Commission on Governmental Operations, and the Office of State Budget and Management on its specific efforts to exercise regulatory flexibility.
- State agencies were authorized to adopt emergency rules for this purpose, without the simultaneous commencement of the temporary rule making process.

S704 - COVID-19 Recovery Act .

Sec. 4.39: Authorize Extension of Training and Certification of Law Enforcement Officers by Forensic Tests for Alcohol Branch. (SL 2020-3)

Sec. 4.39 of S.L. 2020-3 does the following:

- Authorizes the Forensic Tests for Alcohol Branch of the Department of Health and Human Services to delay or modify any educational or examination requirements for recertification of law enforcement officers.
- For certifications issued prior to March 10, 2020, authorizes the Branch to extend those certifications for up to one year if the educational or examination requirements associated with renewal or recertification are delayed in accordance with this section.

EFFECTIVE DATE: This section became effective retroactively to March 10, 2020, and expires January 1, 2021.

S704 - COVID-19 Recovery Act .

Sec. 4.40: Extend Certain Local Government Approvals Affecting the Development of Real Property within the State. (SL 2020-3)

Section 4.40 of S.L. 2020-3 provided that for any development approval that was current and valid at any point during the period beginning March 10, 2020 and ending April 28, 2020, the development approval period expiration date and any associated vested rights were extended for five months.

The section became effective May 4, 2020 and expired September 28, 2020. However, Section 3.21 of S.L. 2020-97 reextends certain development approvals. See Section 3.21 of S.L. 2020-97 or its summary for more information.

S704 - COVID-19 Recovery Act .

Sec. 4.41: Authorize Modification of Judgments Requiring Intermittent Active Time. (SL 2020-3)

Sec. 4.41 of S.L. 2020-3 temporarily allowed a chief district court judge to modify an order of confinement or imprisonment in a local confinement facility if all of the following conditions were met:

- Due to the local confinement facility's restrictions on inmates during the COVID-19 State of Emergency, the defendant was unable to serve one or more periods of confinement.
- Unless the order was modified, the defendant would have been in violation of the criminal judgment.
- The District Attorney consented to the modification of the criminal judgment.

EFFECTIVE DATE: This section became effective May 4, 2020 and expired August 1, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.42: Use of Regional Council of Governments in Administration of FEMA Public Assistance and Individual Assistance Funds. (SL 2020-3)

Section 4.42 of S.L. 2020-3 authorizes the North Carolina Department of Emergency Management to utilize North Carolina Regional Councils of Government in administering Federal Emergency Management Agency public assistance and individual assistance funds.

This section became effective May 4, 2020.

S704 - COVID-19 Recovery Act .

Sec. 4.43: Joint Legislative Oversight Committees/Extend Reporting Deadlines. (SL 2020-3)

Section 4.43 of S.L. 2020-3 requires reports to be submitted to a joint legislative oversight committee of the General Assembly between March 10, 2020 and July 15, 2020 to be held in abeyance until July 15, 2020 and submitted thereafter. Any report required to be submitted after July 15, 2020 must be submitted as scheduled.

This section became effective on May 2, 2020.

S704 - COVID-19 Recovery Act .

Secs. 4.19 and 4.20: Solid Waste Emergency Measures . (SL 2020-3)

Section 4.19 of S.L. 2020-3 authorizes implementation of emergency measures for the management and disposal of solid waste, and Section 4.20 authorizes waivers to allow the disposal of yard trash in a landfill, during the Coronavirus emergency. These sections became effective May 4, 2020, and expired on August 1, 2020.

S808 - Medicaid Funding Act. (SL 2020-88)

Session Law 2020-88 appropriates funds for the Dorothea Dix campus relocation project and NC FAST; appropriates Coronavirus Relief Funds for early childhood initiatives, behavioral health and crisis services, and COVID-19 testing, contract tracing, and trends tracking and analysis; appropriates funds for the Medicaid program and Medicaid transformation; and makes changes related to Medicaid transformation implementation.

Except where provided otherwise, this act is effective July 2, 2020. See full summary for details.