



# SENATE BILL 429: Disaster Recovery - 2019 Budget Provisions.

2019-2020 General Assembly

<b>Committee:</b>		<b>Date:</b>	January 7, 2020
<b>Introduced by:</b>		<b>Prepared by:</b>	Jennifer McGinnis Staff Attorney
<b>Analysis of:</b>	S.L. 2019-224		

**OVERVIEW:** *S.L. 2019-224 contains identical appropriations and allocations for disaster recovery matters that are contained in the 2019 Appropriations Act (HB 966, 2019 Regular Session).*

*This act has various effective dates. Please see the full summary for more detail.*

### BILL ANALYSIS:

**SECTIONS 1.1** (as amended by Section 3.6(a) of S.L. 2019-224) through **1.4**. appropriate, redirect, and reallocate \$112,603,000 to be spent on disaster recovery efforts primarily related to Hurricane Florence, but also some selected other natural disasters.

**SECTION 2.1** sets out the identical allocations to various State, local, and private entities that are contained in HB 966, 2019 Regular Session and the associated Committee Report. It also contains certain directions related to how the funds may be used and whether any local match is required.<sup>1</sup>

**SECTION 3.1(a)-(c)** relates to "directed grants" as provided in Section 5.3 of HB 966, 2019 Regular Session. The term "directed grant" means funds allocated by a State agency to a non-State entity as directed by the General Assembly. A non-State entity is currently defined in the State Budget Act as any of the following that is not a State agency: an individual, a firm, a partnership, an association, a county, a corporation, or any other organization or group acting as a unit. The term includes a unit of local government and public authority. The section also includes reporting and distribution requirements. The funds do not revert until June 30, 2021, and this section expires June 30, 2021.

**SECTION 3.2.** expands language related to funds made available to volunteer fire departments for damages caused by Hurricane Florence.

**SECTION 3.3.** allows farmers in additional counties impacted by natural disasters other than Florence and Michael to apply for the Department of Agriculture and Consumer Services Farmer Assistance. The additional counties are Henderson, Buncombe, Haywood, Polk, Rutherford and Transylvania.

**SECTION 3.4.** extends the deadline for Coastal Area Management Act Emergency General Permits authorized in response to Hurricanes Florence and Michael to October 12, 2019, with all work to be completed by October 12, 2020.

**SECTION 4.1.** makes certain reporting requirements and use of funds limitations that were contained in the primary Hurricane Florence Disaster Recovery bill (S.L. 2018-136) also applicable this act.

**SECTION 5.1.** repeals the disaster recovery portions of H966 if that should become law.

<sup>1</sup> Section 3.1 of S.L. 2019-250 subsequently granted flexibility to agencies that had received funds for disaster recovery under this and numerous prior acts. Agencies may now redirect unexpended or encumbered funds appropriated in response to one disaster to another disaster provided the funds are used for the same purpose or program.

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**EFFECTIVE DATE:** Section 3.3 of this act became effective September 18, 2019. The remainder of this act became effective July 1, 2019.