



# HOUSE BILL 10: Require ICE Cooperation & Budget Adjustments.

2023-2024 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	September 6, 2024
<b>Introduced by:</b>	Reps. D. Hall, B. Jones, Saine, Carson Smith	<b>Prepared by:</b>	Jeff Cherry
<b>Analysis of:</b>	Conference Committee Substitute (H10-CCSMQ-5)		Staff Attorney

**OVERVIEW:** *The Conference Committee Substitute for H10, Require ICE Cooperation & Budget Adjustments includes the following provisions:*

- *Section 1.1 contains general introductory language describing the purpose and reversion of appropriations included in the proposed CCS. This language is typically included in general appropriations bills.*
- *Section 2.2 provides a current statement of General Fund Availability for the 2024-2025 fiscal year reflecting the proposed CCS as well as other bills with appropriations for 2024-2025 fiscal year that have become law. This section also appropriates funds from the Education Reserve for the purposes set forth in Section 6.4 of the proposed CCS and appropriates \$150 million from the Economic Development reserve to the Department of Transportation to be used for the purposes described in Section 14.1 of the proposed CCS.*
- *Section 5.1 eliminates \$60 million in funding reserved in the 2023 Appropriations Act for FY 2024-25 education enrollment adjustments. The education enrollment adjustments for FY 2024-25 for the Community College System and the Department of Public Instruction are contained in Section 6.1 and 6.3 of the proposed CCS.*
- *Section 6.1 provides additional funds to the Community College System to account for increased community college enrollment.*
- *Section 6.2 provides statutory and funding changes to align with the change to funding in arrears for the Department of Public Instruction.*
- *Section 6.3 provides additional funds to the Department of Public Instruction for public school units whose average daily membership (ADM) increased compared to their allotted ADM.*
- *Section 6.4 allocates funds from the Education Reserve to the State Education Assistance Authority for additional funds for opportunity scholarships in the 2024-2025 school year; appropriates \$215.5M in recurring funds to the Opportunity Scholarship Grant Fund Reserve in the 2024-2025 fiscal year and further modifies the statutory appropriation schedule for the Opportunity Scholarship Grant Fund Reserve in future years. (The revised net appropriation in the 2024-2025 fiscal year to the Opportunity Scholarship Grant Fund Reserve would equal \$570M.)*
- *Section 6.5 appropriates an additional \$24.7M in recurring funds for the North Carolina Personal Education Student Accounts for Children with Disabilities Program (PESA program)*

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*in the 2024 2025 fiscal year and modifies the statutory appropriation schedule for the PESA program in future years.*

- *Section 6.5A directs the State Education Assistance Authority to disburse additional funds for opportunity scholarships and PESAs as soon as practicable and, to the extent feasible, in the fall of 2024, directs nonpublic schools to reimburse parents for tuition already paid for the fall of 2024, provides that in some circumstances students will receive their first award in the spring of 2025, delays the application period for awards in 2025-2026, and delays certain related reporting requirements.*
- *Section 7.1 appropriates \$277 million in recurring funds and \$100 million in nonrecurring funds to the Division of Health Benefits for the Medicaid rebase to account for certain changes in Medicaid program costs.*
- *Section 7.2 updates the amount of the nontax revenue Medicaid receivables in the 2024-2025 fiscal year to reflect more accurate available information.*
- *Section 8.1 provides funds via the Department of Commerce to the City of Sanford for water and sewer expenditures in Chatham County.*
- *Section 9.1 requires that Immigration and Customs Enforcement of the United States Department of Homeland Security (ICE) be queried when an individual charged with certain offenses is in custody and that person's legal residency or United States citizenship status is undetermined, and requires a judicial official to order that a prisoner subject to a detainer and administrative warrant be held in custody until ICE resolves the request or 48 hours, whichever occurs first.*
- *Section 10.1 makes changes to the Completing Access to Broadband program at the Department of Information Technology involving the county match portion in the program.*
- *Section 10.2 codifies the State process for evaluating and distributing federal funds for the federal Broadband Equity, Access, and Deployment grant program with the Department of Information Technology and allows the Department to spend federal dollars intended for digital literacy.*
- *Section 11.1 directs OSBM to transfer all remaining Emergency Rental Assistance funds allocated in prior acts to the Housing Trust Fund. The projects funded by the Housing Finance Agency using these funds shall comply with the United States Department of the Treasury's Emergency Rental Assistance guidelines.*
- *Section 12.1 makes updates to the State's employer contributions rates budgeted for retirement and related benefits for the 2024-2025 fiscal year needed to address increased funding requirements for the North Carolina National Guard Pension Fund.*
- *Section 13.1 provides project authorizations for various capital projects funded from receipts or other non-SCIF, non-General Fund sources at the Department of Natural and Cultural Resources, the Department of Agriculture and Consumer Services, the Wildlife Resources Commission, and the Department of Military and Veterans Affairs.*
- *Section 14.1 provides that funds allocated from the Economic Development Reserve to the Department of Transportation in Section 2.2(c) of the proposed CCS shall be used to expand and construct highway infrastructure associated with the megasite industrial park in Randolph County.*

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- *Sections 16.1 through 16.5 are standard provisions for general appropriations bills, including the applicability of the State Budget Act, a directive that appropriations limitations and directions still apply to the extent not repealed or amended by the proposed CCS, guidance regarding the applicability of the proposed CCS beyond the 2024-2025 fiscal year, the effect of headings, and a severability clause.*

**EFFECTIVE DATE:** Except as otherwise provided in individual sections, **Section 16.6** provides that the proposed CCS is effective retroactively to July 1, 2024.