

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 852

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H852-AMT-74 [v.6]

Page 1 of 2

Amends Title [YES]
Second Edition

Date _____, 2018

Senator Daniel

1 moves to amend the bill on page 1, lines 5-7, by rewriting the lines to read:

2
3 "SECTION OF THE NORTH CAROLINA STATE BAR ASSOCIATION, TO REGULATE
4 THE SOLICITATION OF A FEE IN EXCHANGE FOR COPIES OF RECORDED
5 DOCUMENTS, AND TO CLARIFY ELIGIBILITY FOR NEEDS-BASED PUBLIC
6 SCHOOL CAPITAL FUND GRANTS.";

7
8 and on page 2, lines 47-50, by rewriting the lines to read:

9
10 "foreign limited liability company by its chairman, president, chief executive officer, a
11 ~~vice president or an vice-president~~, assistant vice-president, treasurer, ~~or~~ chief financial officer,
12 chief operations officer, general counsel, deputy or assistant general counsel, manager, member,
13 director, or other fiduciary duly authorized by the applicable business entity's statutes or
14 governing documents, such an instrument shall be as valid with respect to the rights of innocent";

15
16 and on page 3, lines 31-35, by rewriting the lines to read:

17
18 "an instrument or separately recorded in the case of an instrument duly executed by the
19 corporation's or limited liability company's chairman, president, chief executive officer, a
20 vice-president, assistant vice-president, treasurer, ~~or~~ ~~chief financial officer~~ chief
21 operations officer, general counsel, deputy or assistant general counsel, manager, member,
22 director, or other fiduciary duly authorized by the applicable business entity's statutes or
23 governing documents. All deeds, conveyances, or other instruments which have been heretofore
24 or shall be";

25
26 and on page 4, lines 14 and 15, by inserting between the lines a new section to read:

27
28 **"PART III-A. CLARIFY ELIGIBILITY FOR NEEDS-BASED PUBLIC SCHOOL**
29 **CAPITAL FUND GRANTS**

30 **SECTION 3A.1.(a)** Section 5.3(e) of S.L. 2017-57, as amended by Section 1.1(a) of
31 S.L. 2017-187, Section 1.1 of S.L. 2017-212, and Section 5.3(a) of S.L. 2018-5, reads as
32 rewritten:



* H 8 5 2 - A M T - 7 4 - V - 6 *

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Page 2 of 2

1 **"SECTION 5.3.(e)** Grant funds awarded under this section shall be subject to a matching
2 requirement from the recipient county as follows:

3 (1) For a county designated as a development tier one area, the grant shall not
4 exceed three dollars (\$3.00) in grant funds for every one dollar (\$1.00)
5 provided by the county. Grant funds awarded to a county designated as a
6 development tier one area shall not exceed fifteen million dollars
7 (\$15,000,000).

8 (2) For a county designated as a development tier two area, the grant shall not
9 exceed one dollar (\$1.00) for every one dollar (\$1.00) in grant funds provided
10 by the county. Grant funds awarded to a county designated as a tier two area
11 shall not exceed ten million dollars (\$10,000,000).

12 Grant funds shall be used for the construction of new school buildings only. Grant funds shall
13 not be used for real property acquisition. Grant funds shall be disbursed in a series of payments
14 based on the progress of the project. To obtain a payment, the grantee shall submit a request for
15 payment along with documentation of the expenditures for which the payment is requested and
16 evidence that the matching requirement contained in subsection (b) of this section has been met.
17 Grant funds shall not be awarded to any county that has received an aggregate amount exceeding
18 eight million seven hundred fifty thousand dollars (\$8,750,000) in funds from the Public School
19 Building Capital Fund from the 2012-2013 fiscal year to the 2016-2017 fiscal year. No county
20 may receive grant funds under this section more than once every five years. No portion of grant
21 funds may be used to acquire a Leadership in Energy and Environmental Design (LEED)
22 certification. For fiscal year 2018-2019, for the purposes of this section, a county shall be
23 considered to be designated as a development tier one area if (i) it was so designated by the
24 Department of Commerce in 2017 or 2018 and (ii) the county filed a grant application under this
25 section in 2017."

26 **SECTION 3A.1.(b)** Notwithstanding any other effective date in this act, this section
27 becomes effective July 1, 2018."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**