

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1135

Short Title: Housing & Utilities Assistance/COVID-19. (Public)

Sponsors: Representatives Autry, Holley, Harrison, and Butler (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Finance, if favorable, Appropriations, if favorable, Rules, Calendar, and
Operations of the House

May 18, 2020

A BILL TO BE ENTITLED

AN ACT TO APPROPRIATE FUNDS FROM THE CORONAVIRUS RELIEF FUND UNDER
THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT TO
PROVIDE ASSISTANCE TO INDIVIDUALS AT RISK OF LOSING CERTAIN TYPES
OF HOUSING AND PROVIDE ASSISTANCE WITH HOUSING UTILITIES DUE TO
THE COVID-19 PANDEMIC.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The State Controller shall transfer the sum of one hundred million dollars (\$100,000,000) for the 2019-2020 fiscal year from the Coronavirus Relief Reserve established under Section 2.1 of S.L. 2020-4 to the Coronavirus Relief Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, P.L. 116-136, established in Section 2.2 of that act.

SECTION 1.(b) There is appropriated from the Coronavirus Relief Fund to the Department of Health and Human Services (Department) the sum of one hundred million dollars (\$100,000,000) in nonrecurring funds for the 2019-2020 fiscal year to provide assistance with housing rental payments for those that are homeless or precariously housed, at risk of losing housing, or in need of assistance with housing utilities due to the COVID-19 pandemic. These funds shall be used to provide housing or utilities assistance, housing navigation, and case management services on behalf of an individual or family as follows:

- (1) Housing Assistance. – For an individual or family who is at or below eighty percent (80%) of Area Median Income (AMI), up to one thousand dollars (\$1,000) monthly per eligible recipient for up to six months. For purposes of this act, housing assistance includes, but is not limited to, assistance with (i) hotel housing expenses, (ii) rental security deposits, (iii) move-in costs, and (iv) application or management fees, as required.
- (2) Utilities Assistance. – Assistance shall be provided as follows:
 - a. For an individual or family who is at or below fifty percent (50%) AMI, up to one thousand dollars (\$1,000) maximum per eligible recipient over a six-month period.
 - b. For an individual or family who is at or between fifty-one percent (51%) AMI and eighty percent (80%) AMI, up to five hundred dollars (\$500.00) maximum per eligible recipient over a six-month period.

The Department shall apportion funds allocated for utilities assistance under this subdivision such that at least three-fourths of those funds are used for



1 individuals or families meeting eligibility requirements under sub-subdivision
2 a. of this subdivision and up to one-fourth of those funds are used for
3 individuals or families meeting eligibility requirements under sub-subdivision
4 b. of this subdivision. These funds may be used for utility deposits, utility
5 arrears, or ongoing utility bills.

6 **SECTION 1.(c)** In implementing this section, the Department of Health and Human
7 Services (Department) shall establish a COVID-19 Emergency Housing Rental and Utilities
8 Assistance program. The Department shall provide funds, as feasible, to local providers of these
9 services or assistance, with the following exceptions:

- 10 (1) The income limit is eighty percent (80%) of Area Median Income (AMI) for
11 housing assistance and at or between fifty percent (51%) AMI and eighty
12 percent (80%) AMI for utilities assistance, as applicable. However, CARES
13 Act IRS stimulus payments and unemployment insurance benefits shall not be
14 considered income for purposes of this act.
15 (2) Individuals and families are eligible for the program with no requirement that
16 a child reside in the home.
17 (3) There is no resource limit requirement.

18 **SECTION 1.(d)** The Department of Health and Human Services may use up to five
19 percent (5%) of the funds appropriated under subsection (b) of this section to administer the
20 COVID-19 Emergency Housing Rental and Utilities Assistance program established under this
21 act.

22 **SECTION 1.(e)** Any unspent funds remaining on June 30, 2020, shall be carried
23 forward into the 2020-2021 fiscal year and are hereby appropriated for the 2020-2021 fiscal year.
24 The funds shall be used for the purposes described in this section and the requirements and
25 limitations set forth in the CARES Act.

26 **SECTION 2.** In implementing the COVID-19 Emergency Housing Rental and
27 Utilities Assistance program in accordance with this act, the Department of Health and Human
28 Services is exempt from the requirements of Article 2A of Chapter 150B of the General Statutes.

29 **SECTION 3.** The Department of Health and Human Services shall provide a report
30 to the House Appropriations Committee on Health and Human Services, the Senate
31 Appropriations Committee on Health and Human Services, and the Fiscal Research Division by
32 March 1, 2021, detailing the use of funds allocated under this act.

33 **SECTION 4.** This act is effective when it becomes law and applies retroactively to
34 housing or utilities expenses incurred on or after March 1, 2020, and expires December 30, 2020.