

2015 NC H 97 , Enacted—Part 1 of 2

North Carolina

SUMMARY: Makes base budget appropriations for current operations of specified state departments, institutions, and agencies, and for other purposes.~SAME AS:

Legislative History and Analysis

Changes in Bill text reflected as:

~~Text Deleted~~

Text Added

~~Text Vetoed~~

Current Legislative Status

02/23/2015 FILED.

02/24/2015 INTRODUCED.

02/24/2015 To HOUSE Committee on APPROPRIATIONS.

05/13/2015 Withdrawn from HOUSE Committee on APPROPRIATIONS.

05/13/2015 Re-referred to HOUSE Committee on FINANCE.

05/18/2015 From HOUSE Committee on FINANCE: Reported favorably with substitute.

05/18/2015 In HOUSE. FINANCE committee substitute adopted on HOUSE floor.

05/18/2015 Re-referred to HOUSE Committee on APPROPRIATIONS.

05/20/2015 From HOUSE Committee on APPROPRIATIONS: Reported favorably with substitute.

05/20/2015 In HOUSE. APPROPRIATIONS committee substitute adopted on HOUSE floor.

05/20/2015 Re-referred to HOUSE Committee on PENSIONS AND RETIREMENT.

05/20/2015 From HOUSE Committee on PENSIONS AND RETIREMENT: Reported favorably.

05/20/2015 Re-referred to HOUSE Committee on RULES, CALENDAR, AND OPERATIONS OF THE HOUSE.

05/20/2015 From HOUSE Committee on RULES, CALENDAR, AND OPERATIONS OF THE HOUSE: Reported favorably with substitute.

05/20/2015 In HOUSE. RULES, CALENDAR, AND OPERATIONS OF HOUSE committee substitute adopted on HOUSE floor.

05/20/2015 In HOUSE. Placed on Calendar for immediate consideration.

05/21/2015 Withdrawn from calendar.

05/21/2015 Re-referred to HOUSE Committee on RULES, CALENDAR, AND OPERATIONS OF THE HOUSE.

05/21/2015 From HOUSE Committee on RULES, CALENDAR, AND OPERATIONS OF THE HOUSE: Reported favorably with substitute.

05/21/2015 In HOUSE. RULES, CALENDAR, AND OPERATIONS OF HOUSE committee substitute adopted on HOUSE floor.

05/21/2015 In HOUSE. Amendment numbers 1,2,3,4,6,7,11,14,15,16,17,18,19,20,22 adopted on HOUSE floor.

05/21/2015 In HOUSE. Amendment numbers 23,24,26,27,29,30,31,32,33,34,35,36,40,41 adopted on HOUSE floor

05/21/2015 In HOUSE. Amendment numbers 42,45,47,48,49,51,53 adopted on HOUSE floor.

05/21/2015 In HOUSE. Amendment numbers 5,8,10,12,21,25,38,39,43,44,46,50,54 failed on HOUSE floor.

05/21/2015 In HOUSE. Amendment numbers 13,9,37,15,52 withdrawn on HOUSE floor.
05/21/2015 In HOUSE: Amendment 15 reconsidered by HOUSE.
05/21/2015 In HOUSE. Read second time. To third reading.
05/22/2015 In HOUSE. Amendment numbers 55, 28 withdrawn on HOUSE floor.
05/22/2015 In HOUSE. Amendment numbers 56,57,58,59,60,61 adopted on HOUSE floor.
05/22/2015 In HOUSE. Read third time. Passed HOUSE. *****To SENATE.
05/26/2015 To SENATE Committee on APPROPRIATIONS/BASE BUDGET.
06/16/2015 From SENATE Committee on APPROPRIATIONS/BASE BUDGET: Reported favorably with substitute.
06/16/2015 In SENATE. APPROPRIATIONS/BASE BUDGET committee substitute adopted on SENATE floor.
06/16/2015 In SENATE. Amendment numbers 1,2,3,4,5,6,7,8,9,10,11 adopted on SENATE floor.
06/16/2015 Re-referred to SENATE Committee on FINANCE.
06/16/2015 From SENATE Committee on FINANCE: Reported favorably.
06/16/2015 Re-referred to SENATE Committee on PENSIONS AND RETIREMENT AND AGING.
06/17/2015 In SENATE. Amendment numbers 1, 2, 3, 6, 8, 11, 14, 16, 18, 20, 22, 23, 25, 26 adopted on SENATE floor.
06/17/2015 In SENATE. Amendment numbers 4, 12 withdrawn on SENATE floor.
06/17/2015 In SENATE. Amendment numbers 5,7,9,10,13,15,17,19,21,24 failed on SENATE floor.
06/17/2015 In SENATE. Read second time. To third reading.
06/18/2015 In SENATE. Amendment numbers 27, 28, 29 adopted on SENATE floor.
06/18/2015 In SENATE. Read third time. Passed SENATE. *****To HOUSE for concurrence.
06/22/2015 In HOUSE. Received to concur in SENATE committee substitute.
06/23/2015 In HOUSE. Placed on Calendar for immediate consideration.
06/23/2015 In HOUSE. HOUSE failed to concur in SENATE committee substitute.
07/14/2015 *****To CONFERENCE Committee.
09/14/2015 In HOUSE. CONFERENCE Committee Report referred to HOUSE floor.
09/14/2015 In SENATE. CONFERENCE Committee Report referred to SENATE floor.
09/14/2015 In SENATE. Placed on Calendar for: 9/15/2015
09/14/2015 In HOUSE. Placed on Calendar for: 9/17/2015
09/15/2015 In SENATE. CONFERENCE Committee Report concurred with on second reading.
09/16/2015 In SENATE. CONFERENCE Committee Report concurred with on third reading.
09/17/2015 In HOUSE. CONFERENCE Committee Report concurred with on second reading.
09/18/2015 In HOUSE. CONFERENCE Committee Report concurred with on third reading.
09/18/2015 RATIFIED for presentation.
09/18/2015 *****To GOVERNOR.
09/18/2015 Signed by GOVERNOR.
09/18/2015 Session Law Number 2015-241

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session: North Carolina General Assembly of North Carolina - Session of 2015
cite: 2015 NC H 97

Enacted

September 18, 2015

Dollar

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

SESSION LAW 2015-241

HOUSE BILL 97

AN ACT TO MAKE BASE BUDGET APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina enacts:

PART I. INTRODUCTION AND TITLE OF ACT

TITLE OF ACT

SECTION 1.1. This act shall be known as the "Current Operations and Capital Improvements Appropriations Act of 2015."

INTRODUCTION

SECTION 1.2. The appropriations made in this act are for maximum amounts necessary to provide the services and accomplish the purposes described in the budget. Savings shall be effected where the total amounts appropriated are not required to perform these services and accomplish these purposes and, except as allowed by the State Budget Act or this act, the savings shall revert to the appropriate fund at the end of each fiscal year.

PART II. CURRENT OPERATIONS AND EXPANSION GENERAL FUND

CURRENT OPERATIONS AND EXPANSION/GENERAL FUND

SECTION 2.1. Appropriations from the General Fund of the State for the maintenance of the State's departments, institutions, and agencies and for other purposes as enumerated, are made for the fiscal biennium ending June 30, 2017, according to the following schedule:

Current Operations - FY 2015-2016 FY 2016-2017

SECTIONS NOT PERTAINING TO PRODUCTION INCENTIVE OMITTED

Film and Entertainment 30,000,000 30,000,000

SECTIONS NOT PERTAINING TO PRODUCTION INCENTIVE OMITTED

SECTION 15.4.(d) G.S. 143B-437.02A reads as rewritten:

"Section 143B-437.02A. (Expires July 1, 2020) The Film and Entertainment Grant Fund.

...

(f) NC Film Office. - To claim a grant under this section, a production company must notify the ~~Division of Tourism, Film, and Sports Development in the~~ Department of Commerce of its intent to apply for a grant. The notification must include the title of the production, the name of the production company, a financial contact for the production company, the proposed dates on which the production company plans to begin filming the production, and any other information required by the ~~Division.~~ *Department.*

...."

SECTIONS NOT PERTAINING TO PRODUCTION INCENTIVE OMITTED

MODIFY FILM AND ENTERTAINMENT GRANT FUND

SECTION 15.25.(a) G.S. 143B-437.02A reads as rewritten:

“Section 143B-437.02A. (Expires July 1, 2020) The Film and Entertainment Grant Fund.

(a) Creation and Purpose of Fund. - There is created in the Department of Commerce a special, nonreverting account to be known as the Film and Entertainment Grant Fund to provide funds to encourage the production of motion pictures, television shows, **movies for television, productions intended for on-line distribution,** and commercials and to develop the filmmaking industry within the State. The Department of Commerce shall adopt guidelines providing for the administration of the program. Those guidelines may provide for the Secretary to award the grant proceeds over a period of time, not to exceed three years. Those guidelines shall include the following provisions, which shall apply to each grant from the account:

(1) The funds are reserved for a production on which the production company has qualifying expenses of at least the following:

a. For a feature-length film, five million dollars (\$5,000,000).

b. For a ~~video or~~ television series, ~~two hundred fifty thousand dollars (\$250,000)~~ **one million dollars (\$1,000,000)** per episode.

c. For a commercial for theatrical or television ~~viewing,~~ **viewing or on-line distribution,** two hundred fifty thousand dollars (\$250,000).

(2) The funds are not used to provide a grant in excess of any of the following:

a. An amount more than twenty-five percent (25%) of the qualifying expenses for the production.

b. An amount more than five million dollars (\$5,000,000) for a feature-length film, more than ~~five nine~~ million dollars ~~(\$5,000,000)~~ **(\$9,000,000)** for a **single season of a** television ~~or video~~ series, or two hundred fifty thousand dollars (\$250,000) for a commercial for theatrical or television ~~viewing,~~ **viewing or on-line distribution.**

...

(b) Definitions. - The following definitions apply in this section:

(1) Department. - The Department of Commerce.

(2) Employee. - A person who is employed for consideration ~~for at least 35 hours a week~~ and whose wages are subject to withholding under Article 4A of Chapter 105 of the General Statutes.

...

(5) Production. - Any of the following:

a. A motion picture intended for commercial distribution to a motion picture theater or directly to the consumer viewing market that has a running time of at least 75 minutes.

b. A ~~video or~~ television series or a commercial for theatrical or television ~~viewing,~~ **viewing, made-for-television movie, or production intended for on-line distribution.** For video and television series, a production is all of the episodes of the series produced for a single season.

...

(c) Application. - A production company shall ~~apply, under oath,~~ **apply** to the Secretary for a grant on a form prescribed by the Secretary. The Secretary shall evaluate the applications to ensure the production's content is created for entertainment purposes. The application shall include all documentation and information the Secretary deems necessary to evaluate the grant application.

....”

SECTION 15.25.(b) G.S. 105-259(b) is amended by adding a new subdivision to read:

“(b) Disclosure Prohibited. - An officer, an employee, or an agent of the State who has access to tax information in the course of service to or employment by the State may not disclose the information to any other person except as provided in this subsection. Standards used or to be used for the selection of returns for examination and data used or to be used for determining the

standards may not be disclosed for any purpose. All other tax information may be disclosed only if the disclosure is made for one of the following purposes:

...

(34a) To exchange information concerning a grant awarded under G.S. 143B-437.02A with the Department of Revenue, the Department of Commerce, or a contractor hired by the Department of Commerce and necessary for the Department to administer the program. A contractor hired pursuant to this subdivision shall be an agent of the State subject to the provisions of this statute with respect to any tax information provided. ”

SECTION 15.25.(c) This section is effective when it becomes law and applies to grants awarded on or after that date.

SECTIONS NOT PERTAINING TO PRODUCTION INCENTIVE OMITTED