

GENERAL ASSEMBLY OF NORTH CAROLINA  
1991 SESSION

CHAPTER 656  
HOUSE BILL 452

AN ACT TO REMOVE THE SUNSET ON ANNUAL FEES CHARGED BY THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO SUPPORT PUBLIC HEALTH PROGRAMS, AND TO EXEMPT NUTRITION PROGRAMS FOR THE ELDERLY FROM SUCH FEES.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 1064 of the 1989 Session Laws is amended by inserting a period after the word "ratification" and deleting the words "and shall expire on June 30, 1992".

Sec. 2. G.S. 130A-248(d) reads as rewritten:

"(d) ~~(Expires June 30, 1992)~~ The Department shall charge each facility subject to this section, except nutrition programs for the elderly administered by the Division of Aging of the Department of Human Resources and public school cafeterias, an annual fee of twenty-five dollars (\$25.00). The Department shall charge an additional twenty-five dollar (\$25.00) late payment fee to any facility that fails to pay the required fee within 45 days after billing by the Department. The Department may, in accordance with G.S. 130A-23, suspend or revoke the permit of a facility that fails to pay the required fee within 60 days after billing by the Department. The Commission shall adopt rules to implement this subsection. Fees collected under this subsection shall be credited to the General Fund and may be used to support State and local public health programs and ~~activities~~ activities; provided that not more than thirty-three and one-third percent (33 - 1/3%) of the fees collected may be used to support State health programs and activities. The Department shall make an annual report to the Joint Legislative Commission on Governmental Operations and the Director of the Fiscal Research Division that shall include the fees collected and disbursed under this subsection and any other information requested by the General Assembly or the Commission."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1991.

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James C. Gardner  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives