

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**SENATE BILL 1496\***  
**Corrected Copy 5/19/06**

Short Title: State Emergency Response Fund. (Public)

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Sponsors: Senators Nesbitt; Snow, Albertson, Apodaca, Atwater, Bland, Boseman, Brown, Dorsett, Hartsell, Holloman, Jenkins, Lucas, Malone, Presnell, and Shaw.

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Referred to: Appropriations/Base Budget.

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May 18, 2006

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THE STATE EMERGENCY RESPONSE FUND AND TO  
2 APPROPRIATE FUNDS TO THE STATE EMERGENCY RESPONSE FUND, AS  
3 RECOMMENDED BY THE JOINT STUDY COMMITTEE ON EMERGENCY  
4 PREPAREDNESS AND DISASTER MANAGEMENT RECOVERY.  
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 1 of Chapter 166A is amended by adding a new section  
8 to read:

9 **"§ 166A-6.02. State Emergency Response Fund.**

10 (a) Fund Established. – The State Emergency Response Fund is established as a  
11 special revenue fund in the Office of State Budget and Management. The money in this  
12 Fund shall not revert to the General Fund and shall remain in this Fund to be used as  
13 provided by this section.

14 (b) Fund Balance. – The balance of the Fund at the beginning of each fiscal year  
15 shall be at least twenty million dollars (\$20,000,000). If the balance of the Fund at the  
16 end of a fiscal year is less than twenty million dollars (\$20,000,000), then there is  
17 appropriated to the Fund from the General Fund on July 1 an amount that is equal to the  
18 difference between twenty million dollars (\$20,000,000) and the balance of the Fund on  
19 June 30.

20 (c) Purpose and Spending Priority of Funds. – The Governor may spend money  
21 from the Fund for the purposes set forth in this section without further authorization of  
22 the General Assembly. Money from the Fund may be used to cover the start-up costs of  
23 State Emergency Response Team operations in anticipation of or in response to a Type  
24 I, Type II, or Type III disaster as defined by G.S. 166A-6. If money remains available  
25 after covering the start-up costs, then that money may be used to help provide the State  
26 matching funds required for disaster assistance for a Type I, Type II, or Type III

1 disaster. All other types of disaster assistance authorized by G.S. 166A-6 shall continue  
2 to be financed by the funds made available under that section."

3           **SECTION 2.** G.S. 166A-4 is amended by adding the following subdivision:  
4           "(5a) Fund. – The State Emergency Response Fund established in  
5           G.S. 166A-6.02."

6           **SECTION 3.** There is appropriated from the General Fund to the State  
7 Emergency Response Fund established in G.S. 166A-6.02 the sum of twenty million  
8 dollars (\$20,000,000) for the 2006-2007 fiscal year.

9           **SECTION 4.** This act becomes effective July 1, 2006.