

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1826*

Short Title: R&R of Outdoor Theaters.

(Public)

Sponsors: Senator Garrou.

Referred to: Appropriations/Base Budget.

May 21, 2008

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THE RESTRICTION ON THE USE OF FUNDS IN THE
3 REPAIRS AND RENOVATIONS RESERVE ACCOUNT AS IT APPLIES TO
4 OUTDOOR THEATERS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143C-4-3 reads as rewritten:

7 "**§ 143C-4-3. Repairs and Renovations Reserve Account.**

8 (a) Creation and Source of Funds. – The Repairs and Renovations Reserve
9 Account is established as a reserve in the General Fund. The State Controller shall
10 reserve to the Repairs and Renovations Reserve Account one-fourth of any unreserved
11 fund balance, as determined on a cash basis, remaining in the General Fund at the end of
12 each fiscal year.

13 (b) Use of Funds. – The funds in the Repairs and Renovations Reserve Account
14 shall be used only for the repair and renovation of State facilities and related
15 infrastructure that are supported from the General Fund. Funds from the Repairs and
16 Renovations Reserve Account shall be used only for the following types of projects:

- 17 (1) Roof repairs and replacements;
- 18 (2) Structural repairs;
- 19 (3) Repairs and renovations to meet federal and State standards;
- 20 (4) Repairs to electrical, plumbing, and heating, ventilating, and
21 air-conditioning systems;
- 22 (5) Improvements to meet the requirements of the Americans with
23 Disabilities Act, 42 U.S.C. § 12101, et seq., as amended;
- 24 (6) Improvements to meet fire safety needs;
- 25 (7) Improvements to existing facilities for energy efficiency;
- 26 (8) Improvements to remove asbestos, lead paint, and other contaminants,
27 including the removal and replacement of underground storage tanks;
- 28 (9) Improvements and renovations to improve use of existing space;
- 29 (10) Historical restoration;

1 (11) Improvements to roads, walks, drives, utilities infrastructure; and

2 (12) Drainage and landscape improvements.

3 **(b1) Restriction on Use of Funds.** – Funds from the Repairs and Renovations
4 Reserve Account shall not be used for new construction or the expansion of the building
5 area (sq. ft.) of an existing facility unless required in order to comply with federal or
6 State codes or standards. For purposes of an outdoor theater, the building area is the
7 combined facility and seating area footprint.

8 (c) ~~Use of Funds.~~—Funds Available Only Upon Appropriation. – Funds reserved
9 to the Repairs and Renovations Reserve Account shall be available for expenditure only
10 upon an act of appropriation by the General Assembly."

11 **SECTION 2.** This act is effective when it becomes law.