NORTH CAROLINA Strong, Resilient, Ready







STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER GOVERNOR

February 4, 2021

The North Carolina Senate
The Honorable Phil Berger, President *Pro Tempore*

The North Carolina House of Representatives The Honorable Tim Moore, Speaker

The People of North Carolina

Dear Mr. President, Mr. Speaker, Members of the North Carolina General Assembly, and Fellow North Carolinians:

I'm pleased to share with you this blueprint for emergency recovery and resilience for a stronger North Carolina as we battle a worldwide pandemic. In this new year, the COVID-19 pandemic remains a dangerous and disruptive force in our state with more than 9,000 deaths and many others seriously ill. Hospitals and frontline healthcare workers are running overtime to treat patients, while businesses continue to struggle to serve customers, and parents and teachers stretch to keep children safe and learning. While the arrival of vaccines bring hope, our people still need help.

In the urgency of the moment, I present to you and your colleagues an emergency budget plan to keep North Carolina strong, resilient, and ready during this pandemic.

Thank you for the work we have already done together in a bipartisan way on budget and COVID-19 needs. North Carolinians are counting on us to work together, and your leadership on these issues is critical.

This plan depends on federal help and state resources. On December 27, 2020, the President signed the **Consolidated Appropriations Act, 2021** into law with North Carolina's share at more than \$4 billion, though it is largely non-discretionary. These funds require appropriation from the General Assembly before they can help with vaccines, schools, rent, utilities, and other needs.

On the state level, our state budget availability remains strong, with more than \$5 billion in unreserved cash in the General Fund as we enter the FY 2021-2023 biennium. The Unemployment Insurance Trust Fund balance, despite an unprecedented rush of new claims in the past year, is at \$2.59 billion. Our revenue forecast keeps getting better and we are on sound financial footing as we consider the urgent needs of North Carolinians.

Accordingly, I recommend that in addition to appropriating the federal stimulus funds you appropriate \$695 million from the unreserved state General Fund balance to address immediate needs resulting from COVID-19. People need help now, and we have both the means and the power to help them. Among the most urgent state needs are the following items:

- Continued hazard duty pay for state employees on the frontlines of COVID-19, especially law enforcement and corrections personnel who face COVID-19 every day.
- Replenishment of the North Carolina State Health Plan, which has incurred significant costs responding to COVID-19.
- Bonuses for educators and school personnel in public K-12 schools, Community Colleges and the University System. These educators were not a part of the raises approved in the last biennium for state employees, yet they have done extraordinary work to teach, feed and care for students throughout this pandemic.
- Extending the reach of high-speed internet to all corners of the state and other urgent connectivity initiatives, such as IT infrastructure, security for community colleges and enhancement of 35,000 hotspots used for education.
- Support for small business with a particular focus on historically underutilized businesses (HUBs), including small business counselling, marketing for tourism and hospitality, ReTOOLNC program for HUBs, and the business loan program at Golden L.E.A.F.
- Expansion of state unemployment benefits, which are still among the lowest in the country.
 Our healthy Trust Fund balance and the ongoing need of North Carolinians out of work due to the pandemic means we can and should help now. North Carolina should increase the maximum duration of benefits to 26 weeks-- the median amount offered nationwide--and increase the maximum benefit from \$350 to \$500 per week.

These are urgent needs for North Carolinians, and together we can address them now to give certainty to our state that we will emerge from this pandemic stronger and healthier. I ask for your careful consideration of these recommendations and ask that we continue our productive dialogue on these and other important needs for North Carolina.

Sincerely,

Roy Cooper

CC: The Honorable Dan Blue
The Honorable Robert Reives

Consolidated Appropriations Act, 2021

Through the Consolidated Appropriations Act, 2021, the federal government will provide more than \$4 billion to North Carolina for COVID-19 response work. Like the actions in Section 4.1 of S.L. 2020-4, the Governor recommends fully appropriating these allocations based on the amounts in the award letters.

| <u>Program</u> | NC Allocation |
|---|-----------------|
| Education | |
| Governor's Emergency Education Relief Fund (GEER) | \$42,920,546 |
| Governor's Emergency Education Relief Fund - | |
| Emergency Assistance to Non-Public Schools (EANS) | \$84,824,393 |
| Elementary and Secondary School Emergency Relief Fund (ESSER) | \$1,602,590,987 |
| Higher Education Emergency Relief Fund (HEER) ² | \$287,509,335 |
| Transportation | |
| Highway Infrastructure | \$258,995,900 |
| FTA Enhanced Mobility for Seniors with Disabilities | \$1,424,686 |
| Airport Grants-in-Aid | \$63,938,525 |
| Agriculture | |
| Specialty Crop Block Grants | TBD* |
| Farm Stress Program Block Grants | \$500,000 |
| Fisheries Disaster Assistance | \$5,460,000 |
| Nutrition | |
| Supplemental Nutrition Assistance Program (SNAP) | TBD* |
| Emergency Food Assistance Program (TEFAP) | \$12,813,000 |
| Commodity Supplemental Food Program | TBD* |
| Older Americans Act - Congregate and Home Delivered Meals | \$5,172,595 |
| School Nutrition and Child and Adult Care Food Program | TBD* |
| Health & Human Services | |
| CDC - Vaccines | \$94,768,784 |
| CDC - Testing, Tracing, and Prevention | \$603,677,156 |
| Child Care and Development Block Grant | \$336,300,000 |
| Head Start | \$6,164,684 |
| Community Mental Health Services Block Grant | \$47,465,800 |
| Substance Abuse Prevention and Treatment Block Grant | \$41,994,387 |
| Housing | |
| Emergency Rental Assistance Program | \$546,596,104 |
| Total | \$4,043,116,882 |

^{*}Final federal award amounts are still pending

Summary of Additional COVID and Other Immediate Needs

| | | Amount | |
|-----------------|---|--------|-------------|
| 1 | tinuity of Operations | | |
| 2 Haza | ard Duty Pay/Emergency Compensation | \$ | 50,000,000 |
| 3 Оре | rational Needs for Fee-Supported Entities | \$ | 10,000,000 |
| 4 Age | ncy COVID-related Operational Needs | \$ | 20,000,000 |
| 5 COV | ID-Related Expenses for State Health Plan | \$ | 64,500,000 |
| 6 Loca | l Government Commission Financial Assistance Program | \$ | 1,000,000 |
| 7 Sub | total | \$ | 145,500,000 |
| 8 | | | |
| 9 Reb | uilding and Strengthening Our People and Economy | | |
| 10 Foo | d Banks | \$ | 10,000,000 |
| 11 High | speed Internet Access | \$ | 30,000,000 |
| 12 Sma | II Business Counseling | \$ | 3,000,000 |
| 13 Mar | keting (business, tourism, attractions, agriculture) | \$ | 3,000,000 |
| 14 Gold | den LEAF/Rural Center Business Assistance Program | \$ | 11,100,000 |
| 15 HUE | Small Business Grants (ReTOOLNC) | \$ | 20,000,000 |
| 16 Hou | sing Assistance | \$ | 4,500,000 |
| 17 Wai | ve Annual ABC Renewal Fees (~\$25m GF revenue impact) | | |
| 18 Sub | total | \$ | 81,600,000 |
| 19 | | | |
| 20 Criti | cal Education Services | | |
| 21 Edu | cator Bonuses | \$ | 468,000,000 |
| 22 Te | achers and Principals - \$2,500 | | |
| 23 N o | ncertified Public School Employees - \$1,500 | | |
| 24 UN | NC and Community Colleges - \$2,000 | | |
| 25 Sub | total | \$ | 468,000,000 |
| 26 | | | |
| 27 Tota | ıl | \$ | 695,100,000 |

General Fund (1XXXX)

| | | FY 2020-21 Recommended | | <u>t</u> | | | |
|---|------------|------------------------|-------------|----------|--------------|----------|--------------------------------------|
| | | | R Changes | | NR Changes | | Adjustments |
| Continuity of Operations 1 Hazard Duty Pay / Emergency Compensation | | | | | | | |
| Funds the expected costs of additional Communicable Disease Emergency Pay for Department of Public | Req | Ś | - | Ś | 50,000,000 | Ś | 50,000,000 |
| Safety employees who work in conditions that put them at an increased risk of exposure to COVID-19, such as | | | - | \$ | - | \$ | - |
| Correctional Officers and Law Enforcement Officers, through June 30, 2021. | Арр | | - | \$ | 50,000,000 | \$ | 50,000,000 |
| | FTE | | | | | | 0.000 |
| 2 Operational Needs for Fee-Supported Entities | | | | | | | |
| Provides funds to continue critical operations at agencies that traditionally receive a large portion of revenue | Req | \$ | - | \$ | 10,000,000 | \$ | 10,000,000 |
| from fees. Due to the pandemic, many entities have seen a substantial decline in revenue but must continue | Rec | \$ | | \$ | - | \$ | |
| to deliver services and plan for activities post-pandemic. | App FTE | \$ | - | \$ | 10,000,000 | \$ | 10,000,000 0.000 |
| 3 State Government Operations | | | | | | | |
| Provides funds to support the continuity of operations for state agencies that are experiencing increased | Req | \$ | - | \$ | 20,000,000 | \$ | 20,000,000 |
| costs due to the COVID-19 pandemic. The funds may be used for incurred COVID-19 related expenses, to | Rec | \$ | - | \$ | - | \$ | - |
| purchase needed supplies and equipment to mitigate operational disruptions, to continue providing critical | App | \$ | - | \$ | 20,000,000 | \$ | 20,000,000 |
| services, and to ensure the safety of both staff and the public. | FTE | | | | | | 0.000 |
| 4 State Health Plan COVID-19 Related Expenses | | | | | | | |
| Provides funds to reimburse the State Health Plan for additional costs incurred during calendar year 2020 due | Req | \$ | - | \$ | 64,500,000 | \$ | 64,500,000 |
| to the COVID-19 pandemic. | Rec | | - | \$ | - | \$ | - |
| | App | \$ | - | \$ | 64,500,000 | \$ | 64,500,000 |
| | FTE | | | | | | 0.000 |
| 5 Local Government Commission Financial Assistance Program | _ | | | | | | |
| Provides funds to the Local Government Commission (LGC) in the Department of State Treasurer. Monies | Req | | - | \$ | 1,000,000 | \$ | 1,000,000 |
| would be used to support essential services to local governments on the Unit Assistance List. This Fund would | | | - | \$ | - 4 000 000 | \$ | 4 000 000 |
| only be accessed if the LGC takes action under statute to assume financial control of the government unit. | App FTE | \$ | - | \$ | 1,000,000 | \$ | 1,000,000 0.00 |
| 6 Growing Rural Economies with Access to Technology (GREAT) Program Support | | | | | | | |
| Replaces Coronavirus Relief Funds (CRF) appropriated for the GREAT program within the Department of | Req | Ś | _ | \$ | _ | \$ | - |
| Information Technology (DIT) with General Fund support by offsetting approximately \$37.25 million in CRF | Rec | | - | \$ | - | \$ | - |
| eligible General Fund expenditures and providing those funds to DIT. A corresponding special provision | Арр | _ | - | \$ | - | \$ | - |
| provides additional details. | FTE | | | | | | 0.000 |
| ebuilding and Strengthening Our People and Our Economy 7 Unemployment Insurance Benefit Changes | | | | | | | |
| Extends the maximum number of weeks individuals are eligible to receive benefits from 12-20 weeks, based | Req | ċ | | \$ | | \$ | |
| on the state's recent average unemployment rate, to 26 weeks and increases the maximum weekly benefit a | Rec | | - | \$ | - | \$ | - |
| recipient can receive from \$350 to \$500 per week. | App | _ | | \$ | | \$ | |
| recipient can receive from \$350 to \$500 per week. | FTE | Ψ | | Ψ. | | ~ | 0.000 |
| | | | | | | | |
| 8 Direct Assistance to Food Banks | D | <u>,</u> | | , | 10 000 000 | , | 10 000 000 |
| Provides funds to the Department of Agriculture and Consumer Services to provide direct aid to NC Food | Req | | - | \$ | 10,000,000 | \$ \$ | 10,000,000 |
| Banks experiencing an increase in demand due to the COVID-19 pandemic. | Rec App | | | \$ | 10,000,000 | | 10,000,000 |
| | FTE | Ų | _ | ٧ | 10,000,000 | ڔ | 0.000 |
| 9 Highspeed Internet Access & Educational Opportunities | _ | | | | | | |
| Provides funds for a multi-pronged approach to enhance community and student access to highspeed | Req | | - | \$ | 30,000,000 | \$ | 30,000,000 |
| internet. Projects include but are not limited to IT infrastructure and network security improvements for 20 | Rec | | | \$ | - 20,000,000 | \$ | |
| community colleges, the replacement of approximately 35,000 internet hotspots currently servicing NC students, aid to State libraries serving as critical connectivity access points, tower infrastructure, equipment for indigent communities, virtual and in-person community training, and student, parent and educator participation support. | App FTE | · · | - | · · | 30,000,000 | \$ | 30,000,000 0.000 |
| | | | | | | | |
| 10 Small Business Counseling | | | | | | | |
| 10 Small Business Counseling Provides funding for counseling services provided through Small Business Centers within the NC Community | Req | \$ | - | \$ | 3,000,000 | \$ | 3,000,000 |
| • | Rec | \$ | - | \$ | - | \$ | - |
| | | \$ | - - | | 3,000,000 | \$ \$ | 3,000,000 - 3,000,000 0.000 |

| | | R Change | s | NR Changes | | Adjustments |
|---|-------|--------------|----------|-------------|----------|----------------------|
| 11 Statewide Marketing to Aid in Pandemic Recovery | | | | | | |
| Provides funds to market North Carolina to assist in post-pandemic recovery. Funds would be used to market | Req 5 | | \$ | 3,000,000 | \$ | 3,000,000 |
| North Carolina as a business and tourism destination as well as to market North Carolina's agricultural products and state-owned attractions. | Rec : | | \$ | 3,000,000 | \$ | 3.000.000 |
| F | FTE | • | · | .,, | · | 0.000 |
| 12 ReTOOLNC Program | | | | | | |
| Assists the economic recovery of state-certified minority and women-owned businesses by funding the ReTOOLNC program administered by the Office for Historically Underutilized Businesses, in partnership with | Req : | | \$ \$ | 20,000,000 | \$ \$ | 20,000,000 |
| the Carolina Small Business Development Fund and The Institute. | App : | | \$ | 20,000,000 | \$ | 20,000,000 |
| | FTE | | | | | 0.000 |
| 13 Golden LEAF/Rural Center Business Assistance Program | | | | | | |
| Provides funding to businesses that qualified and were awarded loans via the Rapid Recovery Loan program. | Req : | | \$ \$ | 11,100,000 | \$ | 11,100,000 |
| - | App : | | \$ | 11,100,000 | \$ | 11,100,000 |
| | FTE | | | | | 0.000 |
| 14 Alcoholic Beverage Control Permits Waives Alcoholic Beverage Control permit fees, including permit renewal from May 2021 through April 2022 | Pog 1 | 4 | \$ | | \$ | |
| and new and temporary permits from March 2021 through June 2022. This waiver will provide relief to small | Req : | | \$ \$ | - | \$ | - |
| businesses in the restaurant and hospitality industries, which have struggled during the pandemic. Waiving | App : | | \$ | - | \$ | - |
| these fees would reduce General Fund nontax revenue collections by approximately \$22 million in FY 2020-21, \$3 million in FY 2021-22, and \$0.5 million in FY 2022-23. | FTE | | | | | 0.000 |
| 15 Housing Legal Services Support | | | | | | |
| Provides funding to support housing-related legal services through NCPRO and the Office of Administrative Hearings. Funds would be used to provide grants and to establish temporary positions for needed Fair | Req : | | \$ \$ | 4,500,000 | \$ | 4,500,000 |
| Housing support to renters and homeowners who are experiencing hardship and risk eviction or foreclosure | App : | | \$ | 4,500,000 | \$ | 4,500,000 |
| due to the pandemic. Fair Housing Discrimination case filings have increased 10% during COVID relative to filings in 2019, and OAH anticipates a further 25% increase in case filings once the current moratorium on evictions expires. | FTE | | | | | 0.000 |
| Critical Education Services | | | | | | |
| 16 Teacher, Instructional Support, and School-based Administrator Bonuses | Dog (| | , | 200 000 000 | , | 380 000 000 |
| Provides a one-time \$2,500 bonus to teachers, including state agency teachers, instructional support personnel, principals and assistant principals employed on February 1, 2021. These employees did not receive | Req : | | \$ \$ | 280,000,000 | \$ \$ | 280,000,000 |
| increases, other than a step increase, in FY 2019-20 and FY 2020-21. The bonus shall be paid in April 2021 and | App : | | \$ | 280,000,000 | _ | 280,000,000 |
| shall not be considered compensation for retirement purposes. | FTE | | | | | 0.000 |
| 17 Noncertified Local Education Agency Employee Bonuses | | | | | | |
| Provides a one-time \$1,500 bonus to non-certified school personnel employed on February 1, 2021. | Req : | \$ - | \$ | 77,000,000 | \$ | 77,000,000 |
| Noncertified school personnel did not receive an increase in FY 2019-20 or FY 2020-21. The bonus shall be | Rec : | | \$ | | \$ | |
| paid in April 2021 and shall not be considered compensation for retirement purposes. | App : | - | \$ | 77,000,000 | \$ | 77,000,000 0.000 |
| 18 UNC and NC Community College System Bonuses | | | | | | |
| Provides a one-time \$2,000 bonus to NC Community College and UNC System personnel employed on | Req : | \$ - | \$ | 111,000,000 | \$ | 111,000,000 |
| February 1, 2021. Community College and UNC System personnel did not receive an increase in FY 2019-20 or _ | Rec ! | | \$ | 111 000 000 | \$ | 111 000 000 |
| FY 2020-21. The bonus shall be paid in April 2021 and shall not be considered compensation for retirement purposes. | App : | - | \$ | 111,000,000 | > | 111,000,000 0.000 |
| Total Change to Requirements | | \$ - | \$ | 695,100,000 | | 695,100,000 |
| Total Change to Receipts Total Change to Net Appropriation | | \$ - \$ - | \$ \$ | 695,100,000 | \$ | 695,100,000 |
| Total Change to Full-Time Equivalent (FTE) | | • | * | ,, | • | 0.000 |
| Recommended Net Appropriation Changes (Recurring + Nonrecurring) | | \$ | | 695,100,000 | | |
| Recommended Total FTE Changes | | | | 0.000 | | |

COVID Package Provisions

1. Appropriate New Federal Funds

Appropriate all funds received from federal grants authorized under the Consolidated Appropriations Act, 2021 in the amounts provided in the notification of award.

The following list includes estimates of North Carolina's allocations from the Consolidated Appropriations Act, 2021 and are illustrative of funds the state expects to receive:

| Governor's Emergency Education Relief Fund (GEER II) | \$42,920,546 |
|--|-----------------|
| Governor's Emergency Education Relief Fund - Emergency Assistance to Non-Public Schools (EANS) | \$84,824,393 |
| Elementary and Secondary School Emergency Relief Fund (ESSER) | \$1,602,590,987 |
| Higher Education Emergency Relief Fund (HEER) | \$287,509,335 |
| Highway Infrastructure | \$258,995,900 |
| FTA Enhanced Mobility for Seniors with Disabilities | \$1,424,686 |
| Airport Grants-in-Aid | \$63,938,525 |
| Specialty Crop Block Grants | TBD |
| Farm Stress Program Block Grants | \$500,000 |
| Fisheries Disaster Assistance | \$5,460,000 |
| Supplemental Nutrition Assistance Program (SNAP) | TBD |
| Emergency Food Assistance Program (TEFAP) | \$12,813,000 |
| Commodity Supplemental Food Program | TBD |
| Older Americans Act - Congregate and Home Delivered Meals | \$5,172,595 |
| School Nutrition and Child and Adult Care Food Program | TBD |
| CDC - Vaccines | \$94,768,784 |
| CDC - Testing, Tracing, and Prevention | \$603,677,156 |
| Child Care and Development Block Grant | \$336,300,000 |
| Head Start | \$6,164,684 |
| Community Mental Health Services Block Grant | \$47,465,800 |
| Substance Abuse Prevention and Treatment Block Grant | \$41,994,387 |
| Emergency Rental Assistance Program | \$546,597,070 |

2. Retain NC Pandemic Recovery Office

Amend S.L. 2020-4, Sec. 4.3 to strike the final sentence of this provision to authorize the NC Pandemic Recovery Office to continue through the duration of the pandemic and use of COVID-19-related federal funding.

3. Align CRF Expenditure Deadlines with the Consolidated Appropriations Act, 2021 Amend S.L. 2020-4 as amended to align any deadlines for CRF expenditures or eligible expenditure periods to conform with new deadline of December 31, 2021.

4. Extend Emergency Procurement Authority

Amend S.L. 2020-97, Sec. 1.7.(b) to extend emergency procurement authority provided in Sec. 1.7.(a) from December 30, 2020, to December 31, 2021.

5. Extend Deadline for \$645.4m Offset of General Fund

Amend S.L. 2020-64, Sec. 8(d) to extend the deadline for OSBM to complete the \$645.4m General Fund offset from Dec. 30, 2020 to June 30, 2021.

6. Adjust Due Date for OSBM Report on Use of Funds

Amend S.L. 2020-4, Sec. 1.7 as amended by S.L. 2020-80 to extend reporting date from April 1, 2021 to April 1, 2022.

7. Replace Coronavirus Relief Funds Appropriated for the GREAT Program with General Fund

Direct OSBM to offset \$37,250,000 of the \$39,000,000 in Coronavirus Relief Funds appropriated to the Department of Information Technology for the GREAT program with General Fund appropriation on or before June 30, 2021. The Department estimates this portion of the funds cannot be utilized on GREAT program grants by the CRF deadline of December 31, 2021.

8. Extend Medicaid Provider Rate Increases

Amend SL 2020-4, Section 4.6 to provide DHHS authority to extend fee-for-service Medicaid provider rate increases to June 30, 2021.

Enhance Unemployment Insurance Benefits

Policy Recommendation

- Increase the maximum duration of state unemployment insurance (UI) benefits to 26 weeks for new claims filed after November 28, 2020 [estimated state cost: \$340-\$400 million through 2023];
- Increase the maximum weekly benefit amount to \$500 for new claimants after February 20, 2021
 [estimated state cost: \$180-\$220 million through 2023]; and
- Change the Trust Fund balance calculation to accelerate the decrease in the base tax rate to 1.9% in 2022.1

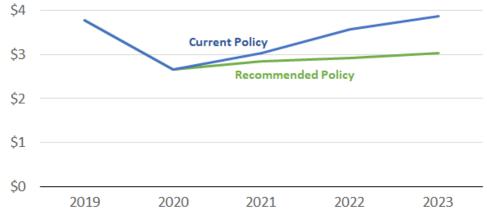
The recommendation above balances maximum use of federal funds for UI benefits while preventing the maximum duration of total benefits from falling below 20 weeks for UI-eligible workers. Increasing the maximum duration for workers laid off in the final weeks of 2020 would displace an estimated \$10-\$15 million in federal funding with state funding, but it would ensure that eligible workers can claim at least 20 weeks of state and federal UI benefits. This proposal provides greater equity between North Carolinians laid off in March and April of 2020, most of whom are eligible for up to 50 weeks of state and federally funded UI benefits, and those laid off later, for whom the maximum benefit duration under current law decreases gradually to 15-16 weeks for those laid off on or after the week ending on December 19, 2020. ²

Increasing the maximum weekly benefit for new claimants, rather than new <u>and</u> current claimants, would simplify administration of the benefit calculation. Current claimants when this policy is implemented would receive \$300 federal supplemental payments for at least some of their period of UI eligibility.

Trust Fund Impact

The state UI base tax rate increased from 1.9% in 2020 to 2.4% in 2021 due to the state's UI Trust Fund falling slightly below 1.25% of annual wage and salary earnings as of September 1, 2020. Under current law, the base rate *may* fall back to 1.9% in 2022, depending on wage growth in the state, UI tax collections, and state spending on UI benefits. The costs from this proposal increase the risk the base tax rate would not fall to

NC UI Trust Fund Balance Under Anticipated Economic Conditions Projected Year-End Trust Fund Balance in Billions of Dollars



Source: OSBM calculations using modified IHS-Markit forecasts and US DOL and DES data Note: UI base tax rate is 2.4% in 2021. Current-law projections assume base rate remains at 2.4% in 2022 and falls to 1.9% in 2023. The base rate falls to 1.9% in 2022 under the recommended poilcy.

1.9% until 2023 or later. To address this potential concern, this recommendation proposes changing the trust-fund balance calculation to use total wages of taxable employers (instead of all covered employers) to accelerate the fall in the base tax rate to 1.9%.

¹ Estimates are preliminary, assume gradual recovery in state labor market, and will vary with revisions to the economic outlook and as additional UI data becomes available.

² The maximum duration of state benefits increased from 12 weeks for workers laid off in 2020 to 16 weeks for workers laid off on or after January 3, 2021.

Small Business Relief: Waiving ABC Permit Fees

To sell alcohol in North Carolina, a vendor must possess a permit from the North Carolina Alcoholic Beverage Control Commission (ABC Commission).

Proposal

Waive the fee associated with ABC permit required to sell alcohol in North Carolina to provide relief to small businesses that hold these permits and have struggled during the pandemic.

Estimated Fiscal Impact

Permit fee revenue is remitted to the General Fund as nontax revenue and does not fund the ABC commission (G.S. § 18B-902(g)). Waiving these fees will result in a loss of this revenue for the General Fund over the next several fiscal years as follows:

| Fiscal Year | Estimated Loss of General Fund Revenue | | |
|-------------|---|--|--|
| FY 2020-21 | \$22 million | | |
| FY 2021-22 | \$3 million | | |
| FY 2022-23 | \$0.5 million | | |

The waiver would have no expected impact on the operations of the ABC Commission or ABC Warehouse; operations are funded through surcharges added to the sale of liquor.

Background

Most ABC permits are valid for one year—May 1 to April 30 (<u>G.S. § 18B-903(a)</u>). However, businesses may acquire a temporary or one-time permit for singular events like weddings, fundraisers, etc. Permit fees can be as low as \$50 (limited special occasion permit) and as high as \$1,000 (mixed beverages permit). Most permit fees fall in the range of \$100 to \$400 (<u>G.S. § 18B-902(d)</u>).

The ABC Commission collects these permit fees and remits this revenue to the General Fund as nontax revenue (G.S. § 18B-902(g)). The following table shows the total revenue deposited into the General Fund for the past five years:

| General Fund Nontax Revenue | FY 15-16 | FY 16-17 | FY 17-18 | FY 18-19 | FY 19-20 |
|--------------------------------|--------------|--------------|--------------|--------------|--------------|
| ABC Permits | \$24,025,000 | \$24,682,000 | \$25,829,000 | \$26,524,000 | \$23,157,000 |

Source: North Carolina Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2020. https://www.osc.nc.gov/public-information/2020-cafr.

Waiving the ABC permit fees for the next permit cycle—May 1, 2021 to April 30, 2022—will provide relief to many small businesses that have remained closed, experienced reduced hours, or served fewer customers during the pandemic.