

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 1519  
Committee Substitute Favorable 5/9/07**

Short Title: Modify School Funding Mediation Law.

(Public)

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Sponsors:

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Referred to:

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April 17, 2007

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY THE LAW PERTAINING TO THE RESOLUTION OF  
2 DISPUTES BETWEEN THE BOARD OF EDUCATION AND THE BOARD OF  
3 COUNTY COMMISSIONERS REGARDING SCHOOL FUNDING.  
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115C-431(d) reads as rewritten:

7 "~~(d) If an appeal is taken to the appellate division of the General Court of Justice,~~  
8 ~~and if such an appeal would result in a delay beyond a reasonable time for levying taxes~~  
9 ~~for the year, the judge shall order the board of county commissioners to appropriate to~~  
10 ~~the local school administrative unit for deposit in the local current expense fund a sum~~  
11 ~~of money sufficient when added to all other moneys available to that fund to equal the~~  
12 ~~amount of this fund for the previous year.~~ An appeal may be taken to the appellate  
13 division of the General Court of Justice, and notice of appeal shall be given in writing  
14 within 10 days after entry of the judgment. All papers and records relating to the case  
15 shall be considered a part of the record on appeal. The conclusion of the school or fiscal  
16 year shall not be deemed to resolve the question in controversy between the parties  
17 while an appeal is still pending. Any final judgment shall be legally binding on the  
18 parties at the conclusion of the appellate process. The payment of any final judgment by  
19 the county in favor of the local school administrative unit shall not be considered, or  
20 used in any manner, to deny or reduce appropriations to the local school administrative  
21 unit by the county in fiscal years subsequent to the one at issue until a final judgment is  
22 rendered at the conclusion of the appellate process. Such payment shall include interest,  
23 if interest is otherwise due under other law, at the legal rate calculated from the date of  
24 the county budget ordinance for the fiscal year at issue until paid."

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