

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 495**

Short Title: Lottery Emergency School Repairs/Renovations. (Public)

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Sponsors: Senator Jones.

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Referred to: Appropriations/Base Budget.

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March 6, 2007

A BILL TO BE ENTITLED  
AN ACT TO SET ASIDE A PORTION OF LOTTERY PROCEEDS FOR  
EMERGENCY REPAIRS AND RENOVATIONS IN LOW-WEALTH  
COUNTIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-546.2(d) reads as rewritten:

"(d) Monies transferred into the Fund in accordance with Chapter 18C of the General Statutes shall be allocated ~~for capital projects for school construction projects~~ as follows:

(1) ~~A~~ For capital projects for school construction, a sum equal to sixty five percent (65%) sixty-two percent (62%) of those monies transferred in accordance with G.S. 18C-164 shall be allocated on a per average daily membership basis according to the average daily membership for the budget year as determined and certified by the State Board of Education.

(1a) A sum equal to three percent (3%) of those monies transferred in accordance with G.S. 18C-164 shall be used for emergency repairs and renovations of public schools located in counties in which the county wealth as a percentage of the State average wealth is less than one hundred percent (100%), as those terms are defined in the Current Operations and Capital Improvements Appropriations Act for the year in which the allocations are made. The funds shall be administered by the State Board of Education. Local school administrative units shall apply to the State Board of Education for such funds, with priority criteria to be established by the State Board of Education. No more than twenty percent (20%) of the funds transferred under this subdivision shall be granted to any one local school administrative unit in any fiscal year, and no local school administrative units shall receive funds in two consecutive fiscal years.

- 1           (2) ~~A~~—For capital projects for school construction, a sum equal to  
2           thirty-five percent (35%) of those monies transferred in accordance  
3           with G.S. 18C-164 shall be allocated to those local school  
4           administrative units located in whole or part in counties in which the  
5           effective county tax rate as a percentage of the effective State average  
6           tax rate is greater than one hundred percent (100%), with the following  
7           definitions applying to this subdivision:  
8           a.       "Effective county tax rate" means the actual county tax rate  
9                 multiplied by a three-year weighted average of the most recent  
10                annual sales assessment ratio studies.  
11           b.       "State average effective tax rate" means the average effective  
12                 county tax rates for all counties.  
13           c.       "Sales assessment ratio studies" means sales assessment ratio  
14                 studies performed by the Department of Revenue under  
15                 G.S. 105-289(h).
- 16           (3) No county shall have to provide matching funds required under  
17           subsection (c) of this section.
- 18           (4) A county may use monies in this Fund to pay for school construction  
19           projects in local school administrative units and to retire indebtedness  
20           incurred for school construction projects incurred on or after January  
21           1, 2003.
- 22           (5) A county may not use monies in this Fund to pay for school  
23           technology needs."

24           **SECTION 2.** This act becomes effective July 1, 2007.