

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE DRS75230-RB-24 (02/18)

Short Title: Clarify Local Government Oversight.

(Public)

Sponsors: Senator Hartsell (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE SCOPE OF THE STATE BUDGET ACT AND THE LOCAL  
3 GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 143C-1-1(b) reads as rewritten:

6 "(b) The provisions of this Chapter shall apply to every State agency, unless specifically  
7 ~~exempted herein, and to exempted.~~ G.S. 143C-2-1, G.S. 143C-3-4, and Part 3 of Article 6 of  
8 this Chapter apply to every non-State entity that receives or expends any State funds. No State  
9 agency or non-State entity shall expend any State funds except in accordance with an act of  
10 appropriation and the requirements of this Chapter. The provisions of Chapter 120 of the  
11 General Statutes shall continue to apply to the General Assembly and to control its  
12 expenditures and in the event of a conflict with this Chapter, the provisions of Chapter 120 of  
13 the General Statutes shall control. Nothing in this Chapter abrogates or diminishes the inherent  
14 power of the legislative, executive, or judicial branch."

15 SECTION 2. G.S. 159-7 reads as rewritten:

16 "§ 159-7. Short title; definitions; local acts superseded.

17 (a) This Article may be cited as "The Local Government Budget and Fiscal Control  
18 Act."

19 (b) The words and phrases defined in this section have the meanings indicated when  
20 used in this Article, unless the context clearly requires another meaning.

21 ...

22 (10) "Public authority" is a municipal corporation (other than a unit of local  
23 government) that is ~~not only~~ subject to the State Budget Act as a non-State  
24 entity (Chapter 143C of the General Statutes) or a local governmental  
25 authority, board, commission, council, or agency that (i) is not a municipal  
26 corporation, (ii) is ~~not only~~ subject to the State Budget Act, ~~Act as a~~  
27 non-State entity, and (iii) operates on an area, regional, or multi-unit basis,  
28 and the budgeting and accounting systems of which are not fully a part of the  
29 budgeting and accounting systems of a unit of local government.

30 ...

31 (15) "Unit," "unit of local government," or "local government" is a municipal  
32 corporation that is ~~not only~~ subject to the State Budget Act as a non-State  
33 entity (Chapter 143C of the General Statutes) and that has the power to levy  
34 taxes, including a consolidated city-county, as defined by G.S. 160B-2(1),  
35 and all boards, agencies, commissions, authorities, and institutions thereof  
36 that are not municipal corporations.



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...."

**SECTION 3.** This act is effective when it becomes law.