

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 2212\***

Short Title: R&R of Outdoor Theaters. (Public)

Sponsors: Representatives Michaux; Allred, Coleman, Faison, Hughes, and Tarleton.

Referred to: Appropriations.

May 20, 2008

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

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143C-4-3 reads as rewritten:  
**"§ 143C-4-3. Repairs and Renovations Reserve Account.**

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

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

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

- 1           (10) Historical restoration;
- 2           (11) Improvements to roads, walks, drives, utilities infrastructure; and
- 3           (12) Drainage and landscape improvements.

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

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

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