



1 compensation, mortgage, rent, utilities, and other operating costs and  
2 expenses incurred on behalf of a business located in this State.

3 b. A provision establishing the method for determining compliance with  
4 the program.

5 c. A provision requiring the qualifying business to first repay the loan  
6 amount with any federal assistance received by the business that  
7 represents a duplication of benefits; provided that, the repayment does  
8 not disqualify or impair the federal assistance available to the business.

9 d. A provision requiring the loan is secured through a Uniform  
10 Commercial Code financing statement.

11 e. A provision requiring recapture of loan funds if a business fails to  
12 comply with the requirements of the program. The lender shall  
13 recapture loan funds only if the lender determines there is a reasonable  
14 expectation that the recovery of funds will exceed the cost of recovery.

15 (9) The awarding of new loans using State funds appropriated in this section shall  
16 cease upon six months following the date the State of Emergency ends.

17 **SECTION 1.(b)** Definitions. – For purposes of this section, the following definitions  
18 apply:

19 (1) Compensation. – Defined in G.S. 105-163.1.

20 (2) Coronavirus Relief Fund. – Funds received by the State of North Carolina  
21 during the 2019-2020 fiscal year from the Coronavirus Relief Fund created by  
22 the Coronavirus Aid, Relief, and Economic Security Act of 2020, P.L.  
23 116-136.

24 (3) Employee. – Defined in G.S. 143B-437.02A.

25 (4) Golden LEAF. – The Golden L.E.A.F. (Long-Term Economic Advancement  
26 Foundation), Inc.

27 (5) Net loan funds. – The total loan fund appropriation authorized by this section  
28 less (i) the cost of administering the loans made under the program, not to  
29 exceed five percent (5%) of the total amount loaned under the program and  
30 (ii) the State's loan funds that are not recaptured.

31 (6) Office. – The Office of State Budget and Management.

32 (7) Qualifying business. – A business with a physical presence in the State that is  
33 able to show economic losses as a result of COVID-19.

34 (8) State of Emergency. – Executive Order No. 116 issued March 10, 2020, by  
35 Governor Roy A. Cooper, including any amendments issued by executive  
36 order.

37 **SECTION 1.(c)** Miscellaneous. – In order to receive the funds appropriated under  
38 this act, Golden LEAF shall provide matching funds from other non-State funds for such funds  
39 in the amount of fifteen dollars (\$15.00) of non-State funds for every seventy-five dollars  
40 (\$75.00) of State funds allocated in this section. State funds allocated in this section may be  
41 matched with any prior expenditure by Golden LEAF of non-State funds for entities making  
42 short-term loans to businesses during periods of economic hardship occasioned by the  
43 COVID-19 epidemic. Six months following the date the State of Emergency ends and every six  
44 months thereafter, Golden LEAF shall remit the net loan funds that have been received to the  
45 Office, which shall deposit the funds into the Coronavirus Relief Fund. Amounts deposited into  
46 the Fund under this subsection are receipts that do not constitute an "appropriation made by law,"  
47 as that phrase is used in Section 7(1) of Article V of the North Carolina Constitution.

48 **SECTION 1.(d)** Reporting. – Every six months, Golden LEAF shall submit a report  
49 on the program to the Joint Legislative Economic Development and Global Engagement  
50 Oversight Committee and the Fiscal Research Division. The duty to report pursuant to this

1 section shall cease after the submission of the report following when Golden LEAF has remitted  
2 the entirety of the net loan funds to the Office. Each report shall contain all of the following:

3 (1) The number of recipients of loans for each represented North American  
4 Industry Classification System Code.

5 (2) The number of jobs retained.

6 (3) The number of loans awarded.

7 (4) The average loan amount.

8 (5) The total amount loaned to date.

9 (6) The total amount of loans repaid to date.

10 (7) The total amount of loans defaulted on to date.

11 (8) The total amount of loans defaulted that have been recaptured.

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