

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 607
State and Local Government Committee Substitute Adopted 4/18/23
Third Edition Engrossed 4/26/23
House Committee Substitute Favorable 6/26/24
Fifth Edition Engrossed 6/26/24

Short Title: Regulatory Reform Act of 2024.

(Public)

Sponsors:

Referred to:

April 6, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE ADDITIONAL REGULATORY RELIEF TO THE CITIZENS OF
3 NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5
6 **PART I. OCCUPATIONAL LICENSING AND ADMINISTRATIVE PROCEDURES**

7
8 **EXEMPT CERTAIN ACTIVITIES FROM REQUIRING LICENSURE AS A BARBER**
9 **OR COSMETOLOGIST**

10 **SECTION 3.(a)** G.S. 86B-32 reads as rewritten:

11 "**§ 86B-32. Persons exempt from the provisions of this Article.**

12 The following persons are exempt from the provisions of this Article while engaged in the
13 proper discharge of their duties:

- 14 (1) Persons authorized under the laws of the State to practice medicine and
15 surgery, and those working under their supervision.
16 (2) Commissioned medical or surgical officers of the United States Army or other
17 components of the Armed Forces of the United States, and those working
18 under their supervision.
19 (3) Registered nurses and licensed practical nurses and those working under their
20 supervision.
21 (4) Licensed embalmers and funeral directors and those working under their
22 supervision.
23 (5) Persons who are working in licensed cosmetic shops or beauty schools and
24 are licensed by the State Board of Cosmetic Art Examiners pursuant to
25 Chapter 88B of the General Statutes.
26 (6) Persons who are working in barbershops and are licensed by the State Board
27 of Cosmetic Art Examiners pursuant to Chapter 88B of the General Statutes,
28 provided that those persons shall comply with G.S. 86B-31.
29 (7) Inmates under the jurisdiction of the North Carolina Department of Adult
30 Correction.
31 (8) Persons who are employed by barbershops and whose duties are expressly
32 confined to the shampooing or blow drying of hair, provided that the person
33 shall comply with G.S. 86B-31."



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1 **SECTION 3.(b)** G.S. 88B-25 reads as rewritten:

2 "**§ 88B-25. Exemptions.**

3 The following persons are exempt from the provisions of this Chapter while engaged in the
4 proper discharge of their professional duties:

- 5 (1) Undertakers and funeral establishments licensed under G.S. 90-210.25.
- 6 (2) Persons authorized to practice medicine or surgery under Chapter 90 of the
7 General Statutes.
- 8 (3) Nurses licensed under Chapter 90 of the General Statutes.
- 9 (4) Commissioned medical or surgical officers of the United States Army, Air
10 Force, Navy, Marine, or Coast Guard.
- 11 (5) A person employed in a cosmetic art shop ~~to shampoo hair~~ whose duties are
12 expressly confined to the shampooing or blow drying of hair, provided that
13 the person shall comply with rules adopted by the Board relating to sanitary
14 management of cosmetic art shops."

15 **SECTION 3.(c)** This section is effective when it becomes law.

16
17 **INCREASE THE AMOUNT OF TRAINING REQUIRED FOR LICENSURE BY THE**
18 **NORTH CAROLINA BOARD OF MASSAGE AND BODYWORK THERAPY**

19 **SECTION 4.(a)** G.S. 90-629 reads as rewritten:

20 "**§ 90-629. Requirements for licensure to practice.**

21 Upon application to the Board and the payment of the required fees, an applicant may be
22 licensed as a massage and bodywork therapist if the applicant meets all of the following
23 qualifications:

- 24 (1) Has obtained a high school diploma or equivalent.
- 25 (2) Is 18 years of age or older.
- 26 (3) Is of good moral character as determined by the Board.
- 27 (4) Has successfully completed a training program consisting of a minimum of
28 500-650 in-class hours of supervised instruction at a Board-approved school.
- 29 (5) Has passed a competency assessment examination that meets generally
30 accepted psychometric principles and standards and is approved by the Board.
- 31 (6) Has submitted fingerprint cards in a form acceptable to the Board at the time
32 the license application is filed and consented to a criminal history record check
33 by the State Bureau of Investigation.
- 34 (7) Demonstrates satisfactory proof of proficiency in the English language."

35 **SECTION 4.(b)** This section becomes effective July 1, 2024, and applies to licenses
36 issued on or after that date.

37
38 **REPEAL THE RESIDENCY REQUIREMENT FOR ELECTROLOGISTS**

39 **SECTION 5.** G.S. 86B-53 reads as rewritten:

40 "**§ 86B-53. Requirements for licensure as an electrologist.**

41 (a) Any person who desires to be licensed as an "electrologist" pursuant to this Chapter
42 shall:

- 43 (1) Submit an application on a form approved by the Board.
- 44 ~~(2) Be a resident of North Carolina.~~
- 45 (3) Be 21 years of age or older.
- 46 (4) Meet the requirements of subsection (b) of this section.
- 47 (5) Pass an examination given by the Board.
- 48 (6) Submit the application and examination fees required in G.S. 86B-70.

49 (b) An applicant for licensure under this section shall provide one of the following:

- 50 (1) Proof of graduation from a school certified by the Board pursuant to
51 G.S. 86B-67.

- 1 (2) Proof satisfactory to the Board that, for at least one year prior to the date of
2 ~~application or the date of initial residence in this State, whichever is earlier,~~
3 ~~application,~~ the applicant was engaged in the practice of electrology in a state
4 that does not license electrologists.

5 Subdivision (2) of this subsection applies only to applicants ~~whose residence in this State~~
6 ~~began on or after January 31, 1994,~~ who do not meet the qualifications of subdivision (1) of this
7 subsection or G.S. 86B-57.

8 (c) At least twice each year, the Board shall give an examination to applicants for
9 licensure to determine the applicants' knowledge of the basic and clinical sciences relating to the
10 theory and practice of electrology. The Board shall give applicants notice of the date, time, and
11 place of the examination at least 60 days in advance.

12 (d) When the Board determines that an applicant has met all the requirements for
13 licensure, and has submitted the initial license fee required in G.S. 86B-70, the Board shall issue
14 a license to the applicant.

15 ~~(e) An applicant otherwise qualified for licensure who is not a resident of this State may~~
16 ~~nevertheless submit a statement of intent to begin practicing electrology in this State and receive~~
17 ~~a license. The applicant must provide to the Board within six months of receiving a license~~
18 ~~evidence satisfactory to the Board that the applicant has actually begun to practice electrology in~~
19 ~~this State. The Board may revoke the license of an applicant who fails to submit this proof or~~
20 ~~whose proof fails to satisfy the Board."~~

21
22 **AMEND EFFECTIVE DATES FOR RULES SUBMITTED TO THE CODIFIER OF**
23 **RULES BY CERTAIN AGENCIES EXEMPT FROM THE STANDARD RULEMAKING**
24 **PROCESS**

25 **SECTION 6.** G.S. 150B-21.21 reads as rewritten:

26 **"§ 150B-21.21. Publication of rules of North Carolina State Bar, Building Code Council,**
27 **and exempt agencies.**

28 (a) State Bar. – The North Carolina State Bar must submit a rule adopted or approved by
29 it and entered in the minutes of the North Carolina Supreme Court to the Codifier of Rules for
30 inclusion in the North Carolina Administrative Code. The State Bar must submit a rule within 30
31 days after it is entered in the minutes of the Supreme Court. The Codifier of Rules must compile,
32 make available for public inspection, and publish a rule included in the North Carolina
33 Administrative Code under this subsection in the same manner as other rules in the Code.

34 (a1) Building Code Council. – The Building Code Council shall publish the North
35 Carolina State Building Code as provided in G.S. 143-138(g). The Codifier of Rules is not
36 required to publish the North Carolina State Building Code in the North Carolina Administrative
37 Code.

38 (b) Exempt Agencies. – Notwithstanding any other provision of law, an agency that is
39 exempted from this Article by G.S. 150B-1 or any other statute must submit a temporary or
40 permanent rule adopted by it to the Codifier of Rules for inclusion in the North Carolina
41 Administrative Code. These exempt agencies must submit a rule to the Codifier of Rules within
42 30 days after adopting the rule.

43 (c) Publication. – A rule submitted to the Codifier of Rules under this section must be in
44 the physical form specified by the Codifier of Rules. The Codifier of Rules must compile, make
45 available for public inspection, and publish a rule submitted under this section in the same manner
46 as other rules in the North Carolina Administrative Code.

47 (d) Effective Dates. – A rule submitted to the Codifier of Rules under this section
48 becomes effective on the first day of the month following submission for inclusion in the North
49 Carolina Administrative Code."

1 **FACILITATE THE ELIMINATION OF NONRESPONSIVE BOARDS, COMMITTEES,**
2 **AND COMMISSIONS**

3 **SECTION 7.(a)** The Legislative Library is directed to send a request for
4 documentation and confirmation of activity to all boards, committees, and commissions that have
5 not expired or been repealed. The documentation required by this section includes the current
6 membership, last reported minutes, current bylaws, and a listing of the entities to which reports
7 are to be submitted. For any board, committee, or commission that either (i) fails to respond
8 within 120 days to the request required by this section or (ii) responds but has not met within the
9 previous 12 months, the Legislative Library will add the board, committee, or commission to a
10 list and will submit the final compiled list to the Joint Legislative Administrative Procedure
11 Oversight Committee. The Committee is directed to recommend legislation to repeal the boards,
12 committees, and commissions on the list required by and submitted pursuant to this section.

13 **SECTION 7.(b)** The Joint Legislative Administrative Procedure Oversight
14 Committee is directed to recommend legislation to the 2025 Regular Session of the 2025 General
15 Assembly upon its convening to repeal the boards, committees, and commissions on the list
16 required by, and submitted to it pursuant to, subsection (b) of this section.
17

18 **PART II. ENERGY, ENVIRONMENT, NATURAL RESOURCES, AND UTILITIES**

19
20 **DELAY FISHERIES HARVEST REPORTING SYSTEM BY ONE YEAR**

21 **SECTION 8.** Section 6(f) of S.L. 2023-137 reads as rewritten:

22 "**SECTION 6.(f)** Subsection (a) of this section becomes effective ~~December 1, 2024,~~
23 December 1, 2025, and applies to violations committed on or after that date. Subsection (b) of
24 this section becomes effective ~~December 1, 2025,~~ December 1, 2026, and applies to violations
25 committed on or after that date. Subsection (c) of this section becomes effective ~~December 1,~~
26 2026, December 1, 2027, and applies to violations committed on or after that date. The remainder
27 of this section is effective when it becomes law."
28

29 **INCREASE THE PUNISHMENT FOR PROPERTY CRIMES COMMITTED AGAINST**
30 **CRITICAL INFRASTRUCTURE, INCLUDING PUBLIC WATER SUPPLIES,**
31 **WASTEWATER TREATMENT FACILITIES, AND MANUFACTURING FACILITIES,**
32 **AND MAKE CONFORMING CHANGES TO UPDATE STATUTES RELATING TO**
33 **DAMAGE TO UTILITIES**

34 **SECTION 9.(a)** G.S. 14-159.1 reads as rewritten:

35 "**§ 14-159.1. Contaminating or injuring a public water system; ~~system; injuring a~~**
36 **wastewater treatment facility.**

37 (a) ~~A person commits the offense of contaminating a public water system, as defined in~~
38 ~~G.S. 130A-313(10), if he willfully or wantonly: Contaminating a Public Water System. –~~

39 (1) ~~Contaminates, adulterates or otherwise impurifies or attempts. It is unlawful to~~
40 ~~knowingly and willfully contaminate, adulterate, or otherwise impurify, or~~
41 ~~attempt to contaminate, adulterate or otherwise impurify-impurify, the water~~
42 ~~in a public water system, as defined in G.S. 130A-313(10), including the water~~
43 ~~source, with any toxic chemical, biological agent or radiological substance~~
44 ~~that is harmful to human health, except those added in approved~~
45 ~~concentrations for water treatment operations; or operations.~~

46 (2) ~~Damages or tampers with the property or equipment of a public water system~~
47 ~~with the intent to impair the services of the public water system.~~

48 (b) Injuring a Public Water System. – It is unlawful to knowingly and willfully stop,
49 obstruct, impair, weaken, destroy, injure, or otherwise damage, or attempt to stop, obstruct,
50 impair, weaken, destroy, injure, or otherwise damage, the property or equipment of a public water

1 system, as defined in G.S. 130A-313(10), with the intent to impair the services of the public
2 water system.

3 (c) Injuring a Wastewater Treatment System. – It is unlawful to knowingly and willfully
4 stop, obstruct, impair, weaken, destroy, injure, or otherwise damage, or attempt to stop, obstruct,
5 impair, weaken, destroy, injure, or otherwise damage, the property or equipment of a wastewater
6 treatment system that is owned or operated by a (i) public utility, as that term is defined under
7 G.S. 62-3, or (ii) local government unit, as defined in G.S. 159G-20(13). For purposes of this
8 section, the term "wastewater treatment facility" means the various facilities and devices used in
9 the treatment of sewage, industrial waste, or other wastes of a liquid nature, including the
10 necessary interceptor sewers, outfall sewers, nutrient removal equipment, pumping equipment,
11 power and other equipment, and their appurtenances.

12 ~~(b)(d) Any person who commits the offense defined in~~ Punishment. – A person who violates
13 subsection (a), (b), or (c) of this section is guilty of a Class C felony. Additionally, a person who
14 violates subsection (a), (b), or (c) of this section shall be ordered to pay a fine of two hundred
15 fifty thousand dollars (\$250,000).

16 (e) Merger. – Each violation of this section constitutes a separate offense and shall not
17 merge with any other offense.

18 (f) Civil Remedies. – Any person whose property or person is injured by reason of a
19 violation of subsection (a), (b), or (c) of this section shall have a right of action on account of
20 such injury done against the person who committed the violation and any person who acts as an
21 accessory before or after the fact, aids or abets, solicits, conspires, or lends material support to
22 the violation of this section. If damages are assessed in such case, the plaintiff shall be entitled
23 to recover treble the amount of damages fixed by the verdict or punitive damages pursuant to
24 Chapter 1D of the General Statutes, together with costs, including attorneys' fees. A violation of
25 subsection (a), (b), or (c) of this section shall constitute willful or wanton conduct within the
26 meaning of G.S. 1D-5(7) in any civil action filed as a result of the violation. The rights and
27 remedies provided by this subsection are in addition to any other rights and remedies provided
28 by law. For purposes of this subsection, the term "damages" includes actual and consequential
29 damages.

30 (g) The provisions of subsection (f) of this section relating to treble damages shall not be
31 made known to the trier of fact through any means, including voir dire, the introduction into
32 evidence, argument, or instructions to the jury.

33 (h) Nothing in this section shall apply to work or activity that is performed at or on a
34 public water system or wastewater treatment facility by the owner or operator of the facility, or
35 an agent of the owner or operator authorized to perform such work or activity by the owner or
36 operator.

37 (i) For purposes of this section, the term "property or equipment" shall include hardware,
38 software, or other digital infrastructure necessary for the operations of a public water system or
39 wastewater treatment system."

40 **SECTION 9.(b)** G.S. 143-152 is repealed.

41 **SECTION 9.(c)** G.S. 62-323 reads as rewritten:

42 **"§ 62-323. Willful injury to property of public utility a ~~misdemeanor~~ felony.**

43 (a) If any person shall willfully do or cause to be done any act or acts whatever whereby
44 any building, construction or work of any public utility, or any engine, machine or structure or
45 any matter or thing appertaining to the ~~same same~~, including hardware, software, or other digital
46 infrastructure necessary for the operations of the public utility, shall be stopped, obstructed,
47 impaired, weakened, injured or destroyed, he shall be guilty of a ~~Class 1 misdemeanor~~ Class C
48 felony.

49 (b) Merger. – Each violation of this section constitutes a separate offense and shall not
50 merge with any other offense.

1 (c) Civil Remedies. – Any person whose property or person is injured by reason of a
2 violation of subsection (a) of this section shall have a right of action on account of such injury
3 done against the person who committed the violation and any person who acts as an accessory
4 before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation
5 of this section. If damages are assessed in such case, the plaintiff shall be entitled to recover
6 treble the amount of damages fixed by the verdict or punitive damages pursuant to Chapter 1D
7 of the General Statutes, together with costs, including attorneys' fees. A violation of subsection
8 (a) of this section shall constitute willful or wanton conduct within the meaning of G.S. 1D-5(7)
9 in any civil action filed as a result of the violation. The rights and remedies provided by this
10 subsection are in addition to any other rights and remedies provided by law. For purposes of this
11 subsection, the term "damages" includes actual and consequential damages.

12 (d) The provisions of subsection (c) of this section relating to treble damages shall not be
13 made known to the trier of fact through any means, including voir dire, the introduction into
14 evidence, argument, or instructions to the jury.

15 (e) The provisions of this section shall only apply to conduct resulting in injury to a public
16 utility, or property thereof, not otherwise covered by G.S. 14-150.2, 14-154, or 14-159.1.

17 (f) Nothing in this section shall apply to work or activity that is performed at or on a
18 public utility by the owner or operator of the utility, or an agent of the owner or operator
19 authorized to perform such work or activity by the owner or operator."

20 **SECTION 9.(d)** Article 22 of Chapter 14 of the General Statutes is amended by
21 adding a new section to read:

22 **"§ 14-150.3. Injuring manufacturing facility.**

23 (a) Injuring a Manufacturing Facility. – It is unlawful to knowingly and willfully stop,
24 obstruct, impair, weaken, destroy, injure, or otherwise damage, or attempt to stop, obstruct,
25 impair, weaken, destroy, injure, or otherwise damage, the property or equipment of a
26 manufacturing facility. For purposes of this section: (i) the term "manufacturing facility" means
27 a facility used for the lawful production or manufacturing of goods; and (ii) the term "property
28 or equipment" shall include hardware, software, or other digital infrastructure necessary for the
29 operations of the manufacturing facility.

30 (b) Punishment. – A person who violates subsection (a) of this section is guilty of a Class
31 C felony. Additionally, a person who violates subsection (a) of this section shall be ordered to
32 pay a fine of two hundred fifty thousand dollars (\$250,000).

33 (c) Merger. – Each violation of this section constitutes a separate offense and shall not
34 merge with any other offense.

35 (d) Civil Remedies. – Any person whose property or person is injured by reason of a
36 violation of subsection (a) of this section shall have a right of action on account of such injury
37 done against the person who committed the violation and any person who acts as an accessory
38 before or after the fact, aids or abets, solicits, conspires, or lends material support to the violation
39 of this section. If damages are assessed in such case, the plaintiff shall be entitled to recover
40 treble the amount of damages fixed by the verdict or punitive damages pursuant to Chapter 1D
41 of the General Statutes, together with costs, including attorneys' fees. A violation of subsection
42 (a) of this section shall constitute willful or wanton conduct within the meaning of G.S. 1D-5(7)
43 in any civil action filed as a result of the violation. The rights and remedies provided by this
44 subsection are in addition to any other rights and remedies provided by law. For purposes of this
45 subsection, the term "damages" includes actual and consequential damages.

46 (e) The provisions of subsection (d) of this section relating to treble damages shall not be
47 made known to the trier of fact through any means, including voir dire, the introduction into
48 evidence, argument, or instructions to the jury.

49 (f) Nothing in this section shall apply to (i) work or activity that is performed at or on a
50 manufacturing facility by the owner or operator of the facility, or an agent of the owner or

1 operator authorized to perform such work or activity by the owner or operator, and (ii) lawful
2 activity authorized or required pursuant to State or federal law."

3 **SECTION 9.(e)** G.S. 1D-27 reads as rewritten:

4 "**§ 1D-27. Injuring ~~energy~~ energy, water, wastewater, or manufacturing facility; exemption**
5 **from cap.**

6 G.S. 1D-25(b) shall not apply to a claim for punitive damages for injury or harm arising from
7 actions of the defendant that constitute a violation of ~~G.S. 14-150.2(b)~~; G.S. 14-150.2(b),
8 14-150.3(a), 14-159.1(a), (b), or (c), or 62-323(a)."

9 **SECTION 9.(f)** Prosecutions for offenses committed before the effective date of this
10 act are not abated or affected by this act, and the statutes that would be applicable but for this act
11 remain applicable to those prosecutions.

12 **SECTION 9.(g)** This section becomes effective December 1, 2024, and applies to
13 offenses committed on or after that date.

14
15 **PROHIBIT THE ACQUISITION OF QUARTZ MINING OPERATIONS AND LANDS**
16 **CONTAINING HIGH PURITY QUARTZ BY FOREIGN GOVERNMENTS**
17 **DESIGNATED AS ADVERSARIAL BY THE UNITED STATES DEPARTMENT OF**
18 **COMMERCE**

19 **SECTION 10.(a)** Chapter 64 of the General Statutes is amended by adding a new
20 Article to read:

21 "Article 3.

22 "Prohibit Adversarial Foreign Government Acquisition of High Purity Quartz.

23 "**§ 64-50. Title.**

24 This act shall be known and be cited as the North Carolina High Purity Quartz Protection
25 Act.

26 "**§ 64-51. Purpose.**

27 The General Assembly finds that high purity quartz is a highly valuable resource used in the
28 manufacture of semiconductors, optical fibers, circuit boards, and other technologically advanced
29 components and it is therefore in the public interest for the State to guard its deposits of high
30 purity quartz from the potential of adversarial foreign government control in order to protect our
31 vital mineral and economic resources.

32 "**§ 64-52. Definitions.**

33 As used in this Article, the following definitions apply:

- 34 (1) Adversarial foreign government. – A state-controlled enterprise or the
35 government of a foreign nation that has received a designation under 15 C.F.R.
36 § 7.4 from a determination by the United States Secretary of Commerce that
37 the entity has engaged in a long-term pattern or serious instances of conduct
38 significantly adverse to the national security of the United States or security
39 and safety of United States persons.
- 40 (2) Controlling interest. – Possession of more than fifty percent (50%) of the
41 ownership interest in an entity. The term also includes possession of fifty
42 percent (50%) or less of the ownership interest in an entity if an owner directs
43 the business and affairs of the entity without the requirement or consent of any
44 other party.
- 45 (3) High purity quartz. – A mineral made of silicon dioxide and containing fewer
46 than 50 parts per million of impurity elements.
- 47 (4) Interest. – Any estate, remainder, or reversion, or any portion of the estate,
48 remainder, or reversion, or an option pursuant to which one party has a right
49 to cause the transfer of legal or equitable title to land covered by
50 G.S. 64-53(a); or ownership or partial ownership of a mining operation
51 covered under G.S. 64-53(a).

1 (5) State-controlled enterprise. – A business enterprise, however denominated, in
2 which a foreign government has a controlling interest.

3 **"§ 64-53. Adversarial foreign government acquisition of high purity quartz resources**
4 **prohibited.**

5 (a) Notwithstanding any provision of law to the contrary, no adversarial foreign
6 government shall purchase, acquire, lease, or hold any interest in the following:

7 (1) A quartz mining operation.

8 (2) Land containing commercially valuable amounts of high purity quartz.

9 (b) Any transfer of an interest in land or a mining operation in violation of this section
10 shall be void.

11 (c) The responsibility for determining whether an individual or other entity is subject to
12 this Article rests solely with the United States Secretary of Commerce and the State of North
13 Carolina and no other individual or entity. An individual or other entity who is not an adversarial
14 foreign government shall bear no civil or criminal liability for failing to determine or make
15 inquiry of whether an individual or other entity is an adversarial foreign government."

16 **SECTION 10.(b)** This section is effective when it becomes law and applies only to
17 ownership interests acquired on and after that date.

18
19 **EXPAND REQUIREMENTS FOR ISSUANCE OF 401 CERTIFICATIONS BY THE**
20 **DEPARTMENT OF ENVIRONMENTAL QUALITY TO PROJECTS LOCATED AT AN**
21 **EXISTING OR FORMER ELECTRIC GENERATING FACILITY**

22 **SECTION 11.(a)** G.S. 143-214.1A reads as rewritten:

23 **"§ 143-214.1A. Water quality certification requirements for certain projects.**

24 (a) The following requirements shall govern applications for certification filed with the
25 Department pursuant to section 401 of the Clean Water Act, 33 U.S.C. § 1341(a)(1), for
26 maintenance dredging projects partially funded by the Shallow Draft Navigation Channel
27 Dredging and Aquatic Weed ~~Fund~~-Fund, electric generation projects located at an existing or
28 former electric generating facility, and projects involving the distribution or transmission of
29 energy or fuel, including natural gas, diesel, petroleum, or electricity:

30 "

31 **SECTION 11.(b)** This section is effective when it becomes law and applies to
32 applications for 401 Certification pending or submitted on or after that date.

33
34 **PROHIBIT PUBLIC WATER AND SEWER SYSTEMS FROM IMPOSING**
35 **UNAUTHORIZED CONDITIONS AND IMPLEMENTING PREFERENCE SYSTEMS**
36 **FOR ALLOCATING SERVICE TO RESIDENTIAL DEVELOPMENT**

37 **SECTION 12.(a)** Chapter 162A of the General Statutes is amended by adding a new
38 Article to read:

39 "Article 11.

40 "Miscellaneous.

41 **"§ 162A-900. Limitations on allocating service for residential development.**

42 (a) For purposes of this section, "residential development" means new development of
43 single-family or multifamily housing.

44 (b) A local government unit, as defined in G.S. 162A-201, shall not require an applicant
45 for water or sewer service for residential development to agree to any condition not otherwise
46 authorized by law, or to accept any offer by the applicant to consent to any condition not
47 otherwise authorized by law. These conditions include, without limitation, any of the following:

48 (1) Payment of taxes, impact fees or other fees, or contributions to any fund.

49 (2) Adherence to any restrictions related to land development or land use,
50 including those within the scope of G.S. 160D-702(c).

1 (3) Adherence to any restrictions related to building design elements within the
2 scope of G.S. 160D-702(b).

3 (c) A local government unit, as defined in G.S. 162A-201, shall not implement a scoring
4 or preference system to allocate water or sewer service among applicants for water or sewer
5 service for residential development that does any of the following:

6 (1) Includes consideration of building design elements, as defined in
7 G.S. 160D-702(b).

8 (2) Sets a minimum square footage of any structures subject to regulation under
9 the North Carolina Residential Code.

10 (3) Requires a parking space to be larger than 9 feet wide by 20 feet long unless
11 the parking space is designated for handicap, parallel, or diagonal parking.

12 (4) Requires additional fire apparatus access roads into developments of one- or
13 two-family dwellings that are not in compliance with the required number of
14 fire apparatus access roads into developments of one- or two-family dwellings
15 set forth in the Fire Code of the North Carolina Residential Code."

16 **SECTION 12.(b)** This section is effective when it becomes law.

17
18 **NATURAL GAS LOCAL DISTRIBUTION COMPANIES COST RECOVERY**
19 **MODIFICATIONS**

20 **SECTION 13.(a)** G.S. 62-133.4 reads as rewritten:

21 **"§ 62-133.4. Gas cost adjustment for natural gas local distribution companies.**

22 ...

23 (c) Each natural gas local distribution company shall submit to the Commission
24 information and data for an historical 12-month test period concerning the utility's actual cost of
25 gas, volumes of purchased gas, sales volumes, negotiated sales volumes, and transportation
26 volumes. This information and data shall be filed on an annual basis in the form and detail and
27 at the time required by the Commission. The Commission, upon notice and hearing, shall
28 compare the utility's prudently incurred costs with costs recovered from all the utility's customers
29 that it served during the test period. If those prudently incurred costs are greater or less than the
30 recovered costs, the Commission shall, subject to G.S. 62-158, require the utility to refund any
31 overrecovery by credit to bill or through a decrement in its rates and shall permit the utility to
32 recover any deficiency through an increment in its rates. If the Commission finds the
33 overrecovery or deficiency has been or is likely to be substantially reduced, negated, or reversed
34 before or during the period in which it would be credited or recovered, the Commission, in its
35 discretion, may order the utility to make an appropriate adjustment or no adjustment to its rates,
36 consistent with the public interest.

37 ...

38 (d1) The utility shall not recover from ratepayers, in any rate recovery proceeding or rider,
39 the incremental cost of natural gas attributable to renewable energy biomass resources that
40 exceeds the average system cost of gas unattributable to renewable energy biomass resources
41 calculated and filed with the Commission pursuant to subsection (c) of this section. Each natural
42 gas local distribution company that incurs costs attributable to renewable energy biomass
43 resources shall submit the utility's actual cost thereof to the Commission monthly for purposes
44 of determining the total amount of natural gas costs recoverable under this section.

45 ~~As used in this section, the word "cost" or "costs" shall be defined by Commission~~
46 ~~rule or order and may include all costs related to the purchase and transportation of natural gas~~
47 ~~to the natural gas local distribution company's system.~~ The following definitions apply in this
48 section:

49 (1) "Cost" or "costs" shall be defined by Commission rule or order and may
50 include all costs related to the production, purchase, and transportation of
51 natural gas to the natural gas local distribution company's system.

1 (2) "Domestic wastewater" means water-carried human wastes together with all
2 other water-carried wastes normally present in wastewater from non-industrial
3 processes.

4 (3) "Natural gas" or "gas" includes gas derived from renewable energy biomass
5 resources.

6 (4) "Renewable energy biomass resources" includes agricultural waste, animal
7 waste, wood waste, spent pulping liquors, organic waste, combustible
8 residues, combustible gases, energy crops, landfill methane, or domestic
9 wastewater."

10 **SECTION 13.(b)** G.S. 62-133.7A reads as rewritten:

11 "**§ 62-133.7A. Rate adjustment ~~mechanism~~ mechanisms for natural gas local distribution**
12 **company rates.**

13 (a) In setting rates for a natural gas local distribution company in a general rate case
14 proceeding under G.S. 62-133, the Commission may adopt, implement, modify, or eliminate a
15 rate adjustment ~~mechanism~~ mechanisms to enable the company to recover the prudently incurred
16 capital investment and associated costs of ~~complying any of the following, including a return~~
17 based on the company's then authorized return:

18 (1) Complying with federal gas pipeline safety requirements, including a return
19 based on the company's then authorized return requirements.

20 (2) Producing and transporting natural gas, as defined in G.S. 62-133.4(e)(3), or
21 consistent with the intent and purpose of G.S. 62-133.4.

22 (b) The Commission shall adopt, implement, modify, or eliminate ~~a~~ any of the rate
23 adjustment ~~mechanism~~ mechanisms authorized under this section only upon a finding by the
24 Commission that the mechanism is in the public interest."

25 **SECTION 13.(c)** This section is effective when it becomes law and applies to rate
26 case proceedings filed on or after that date.

27 **REMOVE TIME LIMITS ON CERTAIN VUR GRANTS**

28 **SECTION 14.** G.S. 159G-36(d)(2) reads as rewritten:

29 "(2) Grants for the purpose set forth in ~~G.S. 159-32(d)(6)~~ G.S. 159G-32(d)(6) to
30 any single local government unit shall not ~~(i)~~ exceed seven hundred fifty
31 thousand dollars (\$750,000) in any fiscal year and ~~(ii)~~ be awarded for more
32 than ~~three consecutive fiscal years~~ year."

33 **EXEMPTION FROM STATE PARKS FEES FOR ELIGIBLE DISABLED VETERANS**

34 **SECTION 15.(a)** Definitions. – As used in this section, the following words and
35 phrases have the following meanings:

36 (1) Annual Pass Program. – The North Carolina State Parks Annual Pass program
37 offered by the Division that includes the following passes: (i) seasonal access
38 passes, (ii) annual passes, and (iii) four-wheel-drive beach access annual
39 passes.

40 (2) Disabled Veteran. – A veteran of any branch of the Armed Forces of the
41 United States whose character of service at separation was honorable or under
42 honorable conditions and who satisfies either of the following requirements:

43 a. As of the date the application required by this section is submitted, the
44 veteran has received benefits under 38 U.S.C. § 2101.

45 b. The veteran has received a certification by the United States
46 Department of Veterans Affairs or another federal agency indicating
47 that, as of the date the application required by this section is submitted,
48 the veteran has a service-connected disability.
49
50

- 1 (3) Division. – The North Carolina Division of Parks and Recreation of the North
2 Carolina Department of Natural and Cultural Resources.
- 3 (4) Eligible Disabled Veteran. – A Disabled Veteran who (i) has submitted an
4 application for a pass included within the Annual Pass Program and (ii) has
5 provided the Division a copy of the veteran's disability certification or
6 evidence of benefits received under 38 U.S.C. § 2101.

7 **SECTION 15.(b)** Fee Exemption. – An Eligible Disabled Veteran whose application
8 under this section has been approved by the Division shall not be required to pay a fee for any
9 pass included within the Annual Pass Program.

10 **SECTION 15.(c)** Application Required. – A Disabled Veteran seeking a pass under
11 the Annual Pass Program shall apply for the pass on a form and in a manner prescribed by the
12 Division.

13 **SECTION 15.(d)** Rulemaking. – The Department of Natural and Cultural Resources
14 shall adopt rules, or amend any current rules, necessary to implement this section.

15
16 **AMEND STATUTES AND RULES APPLICABLE TO DOCK, PIER, AND WALKWAY**
17 **REPLACEMENT IN THE COASTAL AREA**

18 **SECTION 15.1.(a)** Definitions. – For purposes of this section:

- 19 (1) "CAMA Rules" means 15A NCAC Subchapter 07J (Procedures for
20 Processing and Enforcement of Major and Minor Development Permits,
21 Variance Requests, Appeals from Permit Decisions, Declaratory Rulings, and
22 Static Line Exceptions).
- 23 (2) "Replacement of Existing Structures Rule" means 15A NCAC 07J .0210
24 (Replacement of Existing Structures).

25 **SECTION 15.1.(b)** Replacement of Existing Structure. – Until the effective date of
26 the revised permanent rules that the Coastal Resources Commission is required to adopt pursuant
27 to subsection (d) of this section, the Commission shall implement the Replacement of Existing
28 Structures Rule and the CAMA Rules as provided in subsection (c) of this section.

29 **SECTION 15.1.(c)** Implementation. – For fixed docks, floating docks, fixed piers,
30 floating piers, or walkways damaged or destroyed by natural elements, fire, or normal
31 deterioration, activity to rebuild the dock, pier, or walkway to its pre-damage condition shall be
32 considered repair of the structure, and shall not require CAMA permits, without regard to the
33 percentage of framing and structural components required to be rebuilt. At the time a dock, pier,
34 or walkway damaged or destroyed by natural elements, fire, or normal deterioration is repaired,
35 the width and length of the dock, pier, or walkway structure may be enlarged by not more than 5
36 feet or five percent (5%), whichever is less, and the structure may be heightened, without need
37 for a CAMA permit. The owner shall, however, be required to comply with all other applicable
38 State and federal laws. The provisions of this subsection shall not apply to docks and piers (i)
39 greater than 6 feet in width, (ii) greater than 800 square feet of platform area, or (iii) that are
40 adjacent to a federal navigation channel.

41 **SECTION 15.1.(d)** Additional Rulemaking Authority. – The Commission shall
42 adopt rules to amend the Replacement of Existing Structures Rule and any other pertinent CAMA
43 Rules consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rules
44 adopted by the Commission pursuant to this section shall be substantively identical to the
45 provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject
46 to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this
47 section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written
48 objections had been received as provided in G.S. 150B-21.3(b2).

49 **SECTION 15.1.(e)** Sunset. – This section expires when permanent rules adopted as
50 required by subsection (d) of this section become effective.

1 **SECTION 15.1.(f)** No later than August 1, 2024, the Department of Environmental
2 Quality shall prepare and submit to the United States National Oceanic and Atmospheric
3 Administration for approval by that agency the proposed changes made to the CAMA Rules, as
4 enacted by this section. The Department of Environmental Quality shall report to the
5 Environmental Review Commission on the status of their activities pursuant to this section
6 quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this
7 reporting requirement.

8 **SECTION 15.1.(g)** Subsections (a) through (e) of this section become effective on
9 the later of the following dates and apply to applications for permits pending or filed on or after
10 that date:

11 (1) October 1, 2024.

12 (2) The first day of a month that is 60 days after the Secretary of the Department
13 of Environmental Quality certifies to the Revisor of Statutes that the National
14 Oceanic and Atmospheric Administration has approved the changes made to
15 the CAMA Rules, as enacted by subsections (a) through (e) of this section, as
16 required by subsection (f) of this section. The Secretary shall provide this
17 notice along with the effective date of this act on its website.

18 **SECTION 15.2.(a)** G.S. 160D-1104 is amended by adding a new subsection to read:

19 "(g) No later than 60 days after an inspection of a dock, pier, or catwalk or walkway that
20 has been replaced in the coastal area, as that term is defined under G.S. 113A-103(2), an
21 inspection department shall notify the Division of Coastal Management of the replacement."

22 **SECTION 15.2.(b)** Notwithstanding Section 35 of S.L. 2023-137, the North
23 Carolina Residential Building Code shall not require a professional engineer or architect to
24 design or otherwise certify the construction of residential docks, piers, or catwalks or walkways.
25

26 **AUTHORIZE ESTABLISHMENT OF A MEASUREMENT LINE FOR DUNE** 27 **BUILDING PROJECTS CONDUCTED PURSUANT TO PERMITTED TERMINAL** 28 **GROIN CONSTRUCTION**

29 **SECTION 16.(a)** Definitions. – For purposes of this section "CAMA Rules" means
30 15A NCAC Subchapter 07H (State Guidelines for Areas of Environmental Concern).

31 **SECTION 16.(b)** CAMA Rules. – Until the effective date of the revised permanent
32 rules that the Coastal Resources Commission is required to adopt pursuant to subsection (d) of
33 this section, the Commission shall implement the CAMA Rules as provided in subsection (c) of
34 this section.

35 **SECTION 16.(c)** Implementation. – Notwithstanding any provision of Subchapter
36 7H of Title 15A of the North Carolina Administrative Code, the Coastal Resources Commission
37 shall, for the purpose of a dune building and beach planting project, authorize local governments
38 that have received a permit to construct a terminal groin pursuant to G.S. 113A-115.1 to establish
39 a measurement line, as that term is defined under 15A NCAC 07H .0305(9), that represents the
40 location of the first line of stable and natural vegetation that is covered by the dune building and
41 beach planting project. The measurement line shall be: (i) established in coordination with the
42 Division of Coastal Management using on-ground observation and survey or aerial imagery for
43 all areas of oceanfront that undergo dune building and beach planting project; and (ii) applicable
44 for a period of no less than two years from the completion of the dune building and beach planting
45 project.

46 **SECTION 16.(d)** Additional Rulemaking Authority. – The Commission shall adopt
47 rules to amend the CAMA Rules consistent with subsection (c) of this section. Notwithstanding
48 G.S. 150B-19(4), the rules adopted by the Commission pursuant to this section shall be
49 substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant
50 to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes.

1 Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1),
2 as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

3 **SECTION 16.(e)** Sunset. – This section expires when permanent rules adopted as
4 required by subsection (d) of this section become effective.

5 **SECTION 16.(f)** No later than August 1, 2024, the Department of Environmental
6 Quality shall prepare and submit to the United States National Oceanic and Atmospheric
7 Administration for approval by that agency the proposed changes enacted by subsections (a)
8 through (e) of this section. The Department of Environmental Quality shall report to the
9 Environmental Review Commission on the status of their activities pursuant to this section
10 quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this
11 reporting requirement.

12 **SECTION 16.(g)** Subsections (a) through (e) of this section becomes effective on
13 the later of the following dates and apply to permits to construct terminal groins issued, pending,
14 or filed before or after that date:

15 (1) September 1, 2024.

16 (2) The first day of a month that is 60 days after the Secretary of Environmental
17 Quality certifies to the Revisor of Statutes that the National Oceanic and
18 Atmospheric Administration has approved the changes made to the CAMA
19 Rules, as enacted by subsections (a) through (e) of this section, as required by
20 subsection (f) of this section. The Secretary shall provide this notice along
21 with the effective date of subsections (a) through (e) of this section on its
22 website.

23 The remainder of this section is effective when it becomes law.
24

25 **EXCLUDE AQUACULTURE FROM THE DEFINITION OF "DEVELOPMENT" FOR**
26 **PURPOSES OF CAMA AND LIMIT THE AUTHORITY OF THE MARINE FISHERIES**
27 **COMMISSION TO ADOPT RULES REGULATING AQUACULTURE EQUIPMENT**

28 **SECTION 16.1.(a)** G.S. 113A-103 reads as rewritten:

29 **"§ 113A-103. Definitions.**

30 ...

31 (5) a. "Development" means any activity in a duly designated area of
32 environmental concern (except as provided in paragraph b of this
33 subdivision) involving, requiring, or consisting of the construction or
34 enlargement of a structure; excavation; dredging; filling; dumping;
35 removal of clay, silt, sand, gravel or minerals; bulkheading, driving of
36 pilings; clearing or alteration of land as an adjunct of construction;
37 alteration or removal of sand dunes; alteration of the shore, bank, or
38 bottom of the Atlantic Ocean or any sound, bay, river, creek, stream,
39 lake, or canal; or placement of a floating ~~structure~~ structure, except a
40 floating structure used primarily for aquaculture as defined in
41 G.S. 106-758 and associated with an active shellfish cultivation lease
42 area or franchise, in an area of environmental concern identified in
43 G.S. 113A-113(b)(2) or (b)(5).

44 b. The following activities including the normal and incidental
45 operations associated therewith shall not be deemed to be development
46 under this section:

47 ...

48 4. The use of any land for the purposes of planting, growing, or
49 harvesting plants, crops, trees, or other agricultural or forestry
50 products, including normal private road construction, raising
51 livestock or poultry, uses related to aquaculture and

aquaculture facilities as defined in G.S. 106-758 and associated with an active shellfish cultivation lease area or franchise, or for other agricultural purposes except where excavation or filling affecting estuarine waters (as defined in G.S. 113-229) or navigable waters is involved;

...

(5a) "Floating structure" means any structure, not a boat, supported by a means of floatation, designed to be used without a permanent foundation, which is used or intended for human habitation or commerce. A structure shall be considered a floating structure when it is inhabited or used for commercial purposes for more than thirty days in any one location. A boat may be considered a floating structure when its means of propulsion has been removed or rendered inoperative.

...."

SECTION 16.1.(b) G.S. 143B-289.52 is amended by adding a new subsection to read:

"(j) The Commission may not adopt rules regulating cages, poles, anchoring systems, or any above-water frames or structural supports used to suspend or hold in place equipment or floating structures used for aquaculture as defined in G.S. 106-758."

SECTION 16.1.(c) No later than August 1, 2024, the Department of Environmental Quality shall prepare and submit to the United States National Oceanic and Atmospheric Administration for approval by that agency the proposed changes made to Article 7 of Chapter 113A of the General Statutes, as enacted by subsection (a) of this section. The Department of Environmental Quality shall report to the Environmental Review Commission on the status of their activities pursuant to this section quarterly, beginning September 1, 2024, until such time as the General Assembly repeals this reporting requirement.

SECTION 16.1.(d) Subsection (a) of this section becomes effective on the later of the following dates and applies to applications for permits pending or filed on or after that date:

- (1) October 1, 2024.
- (2) The first day of a month that is 60 days after the Secretary of the Department of Environmental Quality certifies to the Revisor of Statutes that the National Oceanic and Atmospheric Administration has approved the changes made to Article 7 of Chapter 113A of the General Statutes, as enacted by subsection (a) of this section, as required by subsection (c) of this section. The Secretary shall provide this notice along with the effective date of subsection (a) of this section on its website. The remainder of this section is effective when it becomes law.

AUTHORIZE REPLACEMENT OF CERTAIN EROSION CONTROL STRUCTURES

SECTION 16.1A.(a) G.S. 113A-115.1 reads as rewritten:

"§ 113A-115.1. Limitations on erosion control structures.

- (a) As used in this section:
 - (1) "Erosion control structure" means a breakwater, bulkhead, groin, jetty, revetment, seawall, or any similar structure.
 - (1a) "Estuarine shoreline" means all shorelines that are not ocean shorelines that border estuarine waters as defined in G.S. 113A-113(b)(2).
 - (2) "Ocean shoreline" means the Atlantic Ocean, the oceanfront beaches, and frontal dunes. The term "ocean shoreline" includes an ocean inlet and lands adjacent to an ocean inlet but does not include that portion of any inlet and lands adjacent to the inlet that exhibits characteristics of estuarine shorelines.

1 (3) "Terminal groin" means one or more structures constructed at the terminus of
2 an island or on the side of an ~~inlet,~~ inlet, or where the ocean shoreline
3 converges with Frying Pan Shoals, with a main stem generally perpendicular
4 to the beach shoreline, that is primarily intended to protect the terminus of the
5 island from shoreline erosion ~~and or~~ inlet migration. A "terminal groin" shall
6 be pre-filled with beach quality sand and allow sand moving in the littoral
7 zone to flow ~~past around, over, or through~~ the structure. A "terminal groin"
8 may include other design features, such as a number of smaller supporting
9 structures, that are consistent with sound engineering practices and as
10 recommended by a professional engineer licensed to practice pursuant to
11 Chapter 89C of the General Statutes. A "terminal groin" is not a jetty.

12 (b) No person shall construct a permanent erosion control structure in an ocean shoreline.
13 The Commission shall not permit the construction of a temporary erosion control structure that
14 consists of anything other than sandbags in an ocean shoreline. This subsection shall not apply
15 to any of the following:

- 16 (1) Any permanent erosion control structure that is approved pursuant to an
17 exception set out in a rule adopted by the Commission prior to July 1, 2003.
18 (2) Any permanent erosion control structure that was originally constructed prior
19 to July 1, 1974, and that has since been in continuous use to protect an inlet
20 that is maintained for navigation.
21 (3) Any terminal groin permitted pursuant to this section.

22 (b1) This section shall not be construed to limit the authority of the Commission to adopt
23 rules to designate or protect areas of environmental concern, to govern the use of sandbags, or to
24 govern the use of erosion control structures in estuarine shorelines.

25 (c) The Commission may renew a permit for a permanent erosion control structure
26 originally permitted pursuant to a variance granted by the Commission prior to July 1, 1995, if
27 the Commission finds that: (i) the structure will not be enlarged beyond the dimensions set out
28 in the original permit; (ii) there is no practical alternative to replacing the structure that will
29 provide the same or similar benefits; and (iii) the replacement structure will comply with all
30 applicable laws and with all rules, other than the rule or rules with respect to which the
31 Commission granted the variance, that are in effect at the time the structure is ~~replaced.~~ replaced,
32 except as otherwise provided in this subsection. If a permanent erosion control structure
33 originally permitted pursuant to a variance granted by the Commission prior to July 1, 1995,
34 consists of a field of geotextile sand tubes, the field of geotextile sand tubes may be replaced with
35 rock erosion control structures subject to the following criteria:

- 36 (1) The number of rock erosion control structures shall be equal to or less than
37 the number of geotextile sand tubes originally permitted.
38 (2) The structure(s) or field of structures may consist of groins, including T-head
39 or lollipop groins, or breakwaters to be approved by the Division of Coastal
40 Management, in its discretion, or by variance from the Coastal Resources
41 Commission.
42 (3) The structure field shall not be enlarged beyond the alongshore dimensions
43 authorized under the original permit, and the aggregate overall length of the
44 rock structures shall not exceed the aggregate overall length of the geotextile
45 sand tubes authorized under the original permit.
46 (4) The plans for the work shall be sealed by a professional engineer licensed to
47 practice pursuant to Chapter 89C of the General Statutes with experience in
48 engineering in the coastal area.

49 The Commission shall permit replacement of the geotextile sand tubes with rock erosion
50 control structures meeting the criteria of subdivisions (1) through (4) of this subsection as
51 replacement of the permanent erosion control structure originally permitted. Such a permanent

1 erosion control structure is not a terminal groin and shall not be subject to the provisions of this
2 section applicable to terminal groins.

3 ...

4 (g) The Commission may issue no more than ~~six~~ seven permits for the construction of a
5 terminal groin pursuant to this section, provided that two of the ~~six~~ seven permits may be issued
6 only for the construction of terminal groins on the sides of New River Inlet in Onslow County
7 and Bogue Inlet between Carteret and Onslow Counties.

8"

9 **SECTION 16.1A.(b)** No later than August 1, 2024, the Department of
10 Environmental Quality shall prepare and submit to the United States National Oceanic and
11 Atmospheric Administration for approval by that agency the proposed changes made to
12 G.S. 113A-115.1, as amended by subsection (a) of this section. The Department of
13 Environmental Quality shall report to the Environmental Review Commission on the status of
14 their activities pursuant to this section quarterly, beginning September 1, 2024, until such time
15 as the General Assembly repeals this reporting requirement.

16 **SECTION 16.1A.(c)** Subsection (a) of this section becomes effective on the later of
17 the following dates and applies to applications for permits pending or filed on or after that date:

18 (1) October 1, 2024.

19 (2) The first day of a month that is 60 days after the Secretary of Environmental
20 Quality certifies to the Revisor of Statutes that the National Oceanic and
21 Atmospheric Administration has approved the changes made to
22 G.S. 113A-115.1, as amended by subsection (a) of this section, as required by
23 subsection (b) of this section. The Secretary shall provide this notice along
24 with the effective date of this section on its website.

25 26 **PART III. STATE GOVERNMENT**

27 28 **EXEMPT CERTAIN FOOD SERVICE ESTABLISHMENTS FROM SEPTAGE** 29 **MANAGEMENT FIRM PERMITTING REQUIREMENTS**

30 **SECTION 17.(a)** G.S. 130A-291.1 is amended by adding a new subsection to read:

31 "(k) A food service establishment not involved in pumping or vacuuming a grease
32 appurtenance does not need a permit under this section."

33 **SECTION 17.(b)** This section is effective when it becomes law.

34 35 **AMEND OUTDOOR GRILL EXEMPTION FOR FOOD ESTABLISHMENTS TO** 36 **INCLUDE ADDITIONAL COOKING SURFACES**

37 **SECTION 18.** G.S. 130A-248(c2) reads as rewritten:

38 "(c2) Notwithstanding any provision of this Part, a food establishment may use an outdoor
39 grill to prepare food for customers for sample or sale if all of the following criteria are met:

40 (1) The outdoor grill is located on the premises of the food establishment and is
41 continuously supervised by a food employee when the grill is in use.

42 (2) The outdoor grill has a cooking surface made of stainless steel ~~or cast iron,~~
43 cast iron, stone, or similar surface that complies with Parts 4-1 and 4-2 of the
44 NC Food Code and meets sanitation requirements for equipment in a food
45 establishment, and is stationed on a concrete or asphalt foundation.

46 (3) The outdoor grill is not operated within 10 feet of combustible construction.

47 (4) All open food and utensils are provided with overhead protection or otherwise
48 equipped with individual covers, such as domes, chafing lids, or cookers with
49 hinged lids.

50 (5) The outdoor grill is ~~located in an enclosed area and~~ protected from
51 environmental contamination when not in operation.

- 1 (6) The outdoor grill and concrete or asphalt foundation are cleaned daily on any
2 day that the grill is in operation.
- 3 (7) Raw meat, poultry, and fish are prepared in a pre-portioned or ready-to-cook
4 form inside the food establishment and may only be handled indirectly with
5 utensils when using the outdoor grill. Food prepared on the outdoor grill is
6 processed inside the food establishment."
7

8 **CLARIFY MINIMUM AGE FOR ESCORT VEHICLE DRIVERS, ALLOW THIRD**
9 **PARTY TRAINING AND CERTIFICATION, AND CREATE ADDITIONAL**
10 **REQUIREMENTS FOR ESCORT VEHICLES**

11 **SECTION 19.** G.S. 20-119(f) reads as rewritten:

12 "(f) The Department of Transportation shall issue rules to establish an escort driver
13 training and certification program for escort vehicles accompanying oversize/overweight loads.
14 Department issued eligibility requirements for escort driver training and certification shall not
15 include a minimum age for an escort driver greater than 18 years of age or that the applicant
16 possess a commercial drivers license. A person that possesses a valid Class A commercial drivers
17 license may sit for an escort vehicle certification examination without meeting any additional
18 education or training requirements. Any driver operating a vehicle escorting an
19 oversize/overweight load shall meet any training requirements and obtain certification under the
20 rules issued pursuant to this subsection. These rules may provide for reciprocity with other states
21 having similar escort certification programs. The Department shall allow third parties, including
22 employers of escort drivers, to train and certify escort drivers pursuant to the rules issued by the
23 Department to implement this subsection. Certification credentials for the driver of an escort
24 vehicle shall be carried in the vehicle and be readily available for inspection by law enforcement
25 personnel. The escort and training certification requirements of this subsection shall not apply to
26 the transportation of agricultural machinery until October 1, 2004. The Department of
27 Transportation shall develop and implement an in-house training program for agricultural
28 machinery escorts by September 1, 2004. A motor vehicle intended to be used as an escort vehicle
29 must meet all of the following requirements:

- 30 (1) Meets all legal requirements for travel on a roadway in the State of North
31 Carolina.
- 32 (2) Is a single motor vehicle with a GVWR of at least 2,000 pounds and not more
33 than 26,000 pounds.
- 34 (3) Is not transporting hazardous materials while being used as an escort vehicle.
- 35 (4) Is not pulling a trailer while being used as an escort vehicle.
- 36 (5) Is equipped with lighting that is visible from all directions."
37

38 **AUTHORIZE DEPARTMENT TO UTILIZE CONTRACT METHODOLOGY**
39 **FLEXIBILITY FOR NEVI FORMULA PROGRAM PROJECTS**

40 **SECTION 19.1** Notwithstanding any other provision of law, the Department of
41 Transportation is authorized to utilize, design-build, indefinite delivery, indefinite quantity,
42 public-private partnership, or any other contracting methodology authorized by applicable
43 federal law to administer the National Electric Vehicle Infrastructure (NEVI) Formula Program.
44 For the purposes of this section, Department of Transportation projects which utilize contracting
45 methodologies authorized by this section to implement, administer, or utilize NEVI Formula
46 Program funds shall not count against Department project contract award authorization caps
47 limiting the use of certain construction methodologies.
48

49 **DIVISION OF MOTOR VEHICLES MODERNIZATION**

50 **SECTION 19.2.(a)** Section 11 of S.L. 2021-134 is repealed.

1 **SECTION 19.2.(b)** The Department of Transportation shall not renew and allow to
2 expire any contract entered into pursuant to the exemption created by Section 11 of S.L.
3 2021-134.

4 **SECTION 19.2.(c)** The Department of Information Technology (DIT), in
5 consultation with the Division of Motor Vehicles of the Department of Transportation (Division),
6 shall develop and issue a request for proposal (RFP) to contract with a third-party organization
7 to perform an evaluation of the Division's ongoing efforts to modernize its Information
8 Technology (IT) systems. The evaluation shall include:

- 9 (1) An in-depth analysis of the Division's plan to implement a cloud-based
10 operating system and any other updates to its IT systems.
- 11 (2) A proposed time line, including specifically identified objectives and a
12 completion date, that the Division should reasonably be able to adhere to in
13 modernizing its IT systems.
- 14 (3) An estimate of when the Division's anticipated updates to its IT systems will
15 begin directly improving the Division's customer service.
- 16 (4) An assessment of whether the Division's IT modernization efforts include
17 sufficient data security protocols, including what data the Division intends to
18 collect or store.
- 19 (5) An assessment of whether the Division has an adequate personnel
20 management plan in place to implement planned updates to its IT systems.
- 21 (6) An assessment of the Division's intended pricing structure for the provision of
22 online or remote services after the Division completes the modernization of
23 its IT systems.
- 24 (7) A discussion of any other factor the third-party organization deems relevant
25 to assessing the efficacy of the Division's modernization efforts.

26 **SECTION 19.2.(d)** Funding for the implementation of subsection (c) of this section
27 shall be provided by funds previously appropriated to the Division for the purpose of IT
28 modernization.

29 **SECTION 19.2.(e)** The Division shall report the findings of the third-party
30 organization's evaluation to the chairs of the Joint Legislative Transportation Oversight
31 Committee, the chairs of the House and Senate Transportation Appropriations Committees, and
32 the Fiscal Research Division no later than April 31, 2025.

33 **SECTION 19.2.(f)** No later than July 1, 2025, the Division, in consultation with
34 DIT, shall use the findings of the evaluation required by this section to select a vendor to oversee
35 and manage implementation of the cloud-based operating system. The selected vendor, in
36 consultation with the Division and DIT, shall report to the Joint Legislative Transportation
37 Oversight Committee, the Joint Legislative Commission on Governmental Operations, the chairs
38 of the House and Senate Transportation Appropriations Committees, and the Fiscal Research
39 Division on a quarterly basis. Each report shall include an update on the status of the Division's
40 modernization efforts measured against targets and objectives identified in the evaluation.

41 42 **NORTH CAROLINA RAILROAD BOARD OF DIRECTORS AND RELATED** 43 **CLARIFICATIONS**

44 **SECTION 19.3.(a)** Section 7.1 of S.L. 2023-136 is repealed.

45 **SECTION 19.3.(b)** Section 6.4 of S.L. 2023-139 is repealed.

46 **SECTION 19.3.(c)** G.S. 124-15 reads as rewritten:

47 **"§ 124-15. Board of directors; appointment and approval of encumbrances.**

48 (a) Notwithstanding subsection (a) of G.S. 124-6, for any State-owned railroad company
49 that has trackage in more than two counties, ~~seven-six~~ of the members of the Board of Directors
50 shall be appointed by the Governor, one member of the Board of Directors shall be the
51 Commissioner of Agriculture of the Department of Agriculture and Consumer Services, or the

1 Commissioner's designee, three of the members of the Board of Directors shall be appointed by
2 the General Assembly upon the recommendation of the Speaker of the House of Representatives
3 in accordance with G.S. 120-121, and three of the members of the Board of Directors shall be
4 appointed by the General Assembly upon the recommendation of the President Pro Tempore of
5 the Senate in accordance with G.S. 120-121. The Board of Directors shall consist of 13 members.
6 Of the Governor's ~~seven~~six appointments, one shall be from the appointees to the Board of
7 Transportation and one shall be the Secretary of Commerce or the Secretary's designee. ~~Of the~~
8 ~~initial members appointed by the Governor, three shall be appointed for terms of four years and~~
9 ~~four shall be appointed for terms of two years. Of the initial members recommended to the~~
10 ~~General Assembly by the Speaker of the House of Representatives, two shall be appointed for~~
11 ~~terms of four years and one shall be appointed for a term of two years. Of the initial members~~
12 ~~recommended to the General Assembly by the President Pro Tempore of the Senate, two shall~~
13 ~~be appointed for terms of four years and one shall be appointed for a term of two years. Thereafter~~
14 ~~all~~All Board members shall serve four-year terms. The Board shall elect the chairman from
15 among its membership.

16 (b) No State-owned railroad company shall sell, lease, mortgage, or otherwise encumber
17 its franchise, right-of-way, or other property, except by and with the approval and consent of the
18 Board of Directors of that corporation. The president or other chief officer of the State-owned
19 railroad company shall report any acquisitions and dispositions in accordance with
20 G.S. 124-3(10).

21 (c) Each member of the Board of Directors for any State-owned railroad company shall
22 have the fiduciary duties, including the duties of loyalty and care, to the State-owned railroad
23 company."

24 **SECTION 19.3.(d)** The appointee of the Governor replaced by the Commissioner
25 of Agriculture of the Department of Agriculture and Consumer Services, or the Commissioner's
26 designee, because of the revision to G.S. 124-15 enacted in subsection (c) of this section shall be
27 one of the appointees of the Governor with a term beginning in 2023, and the Commissioner, or
28 the Commissioner's designee, shall serve for the remainder of that term. The Board of Directors
29 shall determine which of the appointees of the Governor with a term beginning in 2023 will be
30 replaced by the Commissioner of Agriculture of the Department of Agriculture and Consumer
31 Services, or the Commissioner's designee.

32 **SECTION 19.3.(e)** G.S. 124-1 reads as rewritten:

33 **"§ 124-1. Control of internal improvements.**

34 The Governor and Council of State shall have charge of all the State's interest in all railroads,
35 canals and other works of internal ~~improvements~~improvements, except for a State-owned
36 railroad company. The Board of Directors of a State-owned railroad company shall be
37 responsible for managing its affairs and for reporting as set forth in G.S. 124-17."

38 **SECTION 19.3.(f)** G.S. 124-11 reads as rewritten:

39 **"§ 124-11. Definition.**

40 As used in this Chapter, the term ~~"State-Owned Railroad Company"~~"State-owned Railroad
41 Company" shall mean a railroad company in which the State owns all of the voting stock."
42

43 **AUTHORIZE RAIL TRANSPORTATION CORRIDOR AUTHORITY**

44 **SECTION 19.4.(a)** Chapter 160A of the General Statutes is amended by adding a
45 new Article to read:

46 "Article 33.

47 "Rail Transportation Corridor Authority.

48 **"§ 160A-880. Title and purpose.**

49 This Article shall be known and may be cited as the "Rail Transportation Corridor Authority
50 Act." The purpose of this Article is to authorize the creation of an Authority to establish,

1 construct, purchase, maintain, equip, and operate any structure, facility, or improvement to aid
2 commerce, public transportation, and any other rail services associated with rail corridors.

3 **"§ 160A-881. Definitions.**

4 The following definitions apply in this Article:

- 5 (1) Authority. – A Rail Transportation Corridor Authority.
6 (2) Board of Trustees. – The governing board of an Authority.
7 (3) Costs. – The capital cost of a rail corridor project or special user project,
8 including:
9 a. The costs of doing any or all of the following:
10 1. Acquiring, constructing, erecting, providing, developing,
11 installing, furnishing, and equipping.
12 2. Reconstructing, remodeling, altering, renovating, replacing,
13 refurnishing, and reequipping.
14 3. Enlarging, expanding, and extending.
15 4. Demolishing, relocating, improving, grading, draining,
16 landscaping, paving, widening, and resurfacing.
17 b. The costs of all property, both real and personal and both improved
18 and unimproved, and of plants, works, appurtenances, structures,
19 facilities, furnishings, machinery, equipment, vehicles, easements,
20 water rights, air rights, franchises, and licenses used or useful in
21 connection with a rail corridor project or special user project.
22 c. The costs of demolishing or moving structures from land acquired and
23 acquiring land to which the structures are to be moved.
24 d. Financing charges, including estimated interest during the acquisition
25 or construction of a rail corridor project or special user project and for
26 one year thereafter.
27 e. The costs of services to provide plans, specifications, studies, reports,
28 surveys, and estimates of costs and revenues.
29 f. The costs of paying any interim financing, including principal,
30 interest, and premium, related to the acquisition or construction of a
31 rail corridor project or special user project.
32 g. Administrative and legal expenses and administrative charges.
33 h. The costs of establishing and maintaining debt service and other
34 reserves.
35 i. Any other services, costs, and expenses necessary or incidental to a
36 rail corridor project or special user project.
37 (4) Credit facility. – An agreement with a banking institution, an insurance
38 institution, an investment institution, or other financial institution located
39 inside or outside the United States of America that provides for prompt
40 payment, whether at maturity, presentment, or tender for purchase,
41 redemption, or acceleration, of part or all of the principal or purchase price,
42 redemption premium, if any, and interest on debt held by the Authority and
43 for repayment of the institution.
44 (5) Financing agreement. – A written instrument establishing the rights and
45 responsibilities of the Authority and the operator concerning a financed
46 special user project. A financing agreement may be a lease, a lease and lease
47 back, a sale and lease back, a lease purchase, an installment sale and purchase
48 agreement, a conditional sales agreement, a secured or unsecured loan
49 agreement, or other similar contract and may involve property in addition to
50 the financed property.

- 1 (6) Obligor. – A person, including an operator, who has entered into a financing
2 or other agreement obligating the person to make payments to the Authority
3 to finance a special user project.
- 4 (7) Operator. – The person entitled to the use or occupancy of a special user
5 project.
- 6 (8) Organizing entity. – The elected boards of county commissioners and each
7 municipality that have created or joined an Authority in accordance with
8 G.S. 160A-883.
- 9 (9) Person. – Any person, corporation, partnership, association, trust, or other
10 legal entity.
- 11 (10) Public transportation. – Transportation of passengers whether or not for hire
12 by any means of conveyance, including, but not limited to, a street or elevated
13 railway or guideway, subway, motor vehicle or motor bus, carpool or vanpool,
14 either publicly or privately owned and operated, holding itself out to the
15 general public for the transportation of persons within or working within the
16 territorial jurisdiction of the Authority or as otherwise provided by this
17 Article.
- 18 (11) Public transportation system. – Without limitation, a combination of real and
19 personal property, structures, improvements, buildings, equipment, vehicle
20 parking, or other facilities, railroads and railroad rights-of-way whether held
21 in fee simple by quitclaim or easement, and rights-of-way, or any combination
22 thereof, used or useful for the purposes of public transportation.
- 23 (12) Rail. – Transportation of passengers, as a mode of public transportation, or
24 freight utilizing fixed or semi-fixed tracks.
- 25 (13) Railroad. – Any person or company providing transportation by rail for
26 compensation.
- 27 (14) Rail corridor. – A combination of rail line and real and personal property,
28 structures, improvements, buildings, equipment, vehicle parking, and other
29 appurtenant fixtures essential to rail operations and public transportation,
30 including any facilities, maintenance yard, marshalling yard, transfer yard,
31 utilities, pedestrian foot paths, and bicycle paths.
- 32 (15) Rail corridor project. – Any of the following that is part of or used in
33 connection with a rail corridor and is not a special user project:
- 34 a. Any land, equipment, or buildings or other structures, whether located
35 on one or more sites within a rail corridor.
- 36 b. The addition to or the rehabilitation, improvement, renovation, or
37 enlargement of any property described in sub-subdivision a. of this
38 subdivision.
- 39 The term includes infrastructure improvements, such as improvements to
40 railroad facilities, roads, bridges, and water, sewer, or electric utilities. A rail
41 corridor project may include a facility leased to one or more entities under a
42 true lease.
- 43 (16) Rail Transportation Corridor Authority. – A public body corporate and politic
44 organized in accordance with the provisions of this Article for the purposes,
45 with the powers, and subject to the restrictions hereinafter set forth.
- 46 (17) Revenues. – For a special user project, the term means rents, fees, charges,
47 payments, proceeds, or other income or profit derived from the special user
48 project or from the financing agreement or security document for the special
49 user project. For a rail corridor project, the term means rents, fees, charges,
50 payments, proceeds, or other income or profit derived from the rail corridor
51 project or from any pledge of nontax revenues, appropriation, or payment

1 made by the State or unit of local government in which the rail corridor is
2 located.

3 (18) Security document. – One or more written instruments establishing the rights
4 and responsibilities of the Authority to finance a special user project. A
5 security document may contain an assignment, pledge, mortgage, or other
6 encumbrance of part or all of the Authority's interest in, or right to receive
7 revenues from, a special user project or any other property provided by the
8 operator or other obligor under a financing agreement. A financing agreement
9 and a security document may be combined as one instrument.

10 (19) Special user project. – Any land, equipment, or buildings or other structures
11 located on one or more sites within the rail corridor and the addition to or the
12 rehabilitation, improvement, renovation, or enlargement of a structure located
13 within the rail corridor when the property is to be used as or in connection
14 with any of the following:

15 a. An undertaking for industry, including an industrial or a
16 manufacturing factory, mill, assembly plant, or fabricating plant; a
17 freight terminal; an industrial research, development, or laboratory
18 facility; or an industrial processing or distribution facility for industrial
19 or manufactured products.

20 b. A commercial, processing, mining, transportation, distribution,
21 storage, marine, aviation, rail, or environmental facility or
22 improvement.

23 c. Any combination of items mentioned in sub-subdivisions a. and b. of
24 this subdivision.

25 A special user project, during its economic life, is to be principally used by
26 one or more for-profit entities other than as lessee under a lease that has a fair
27 market value rental and is not treated as a financing lease or installment sale
28 for federal tax law purposes. A special user project may include all
29 appurtenances and incidental facilities such as land, a headquarters or office
30 facility, warehouses, distribution centers, access roads, sidewalks, utilities,
31 railway sidings, trucking and similar facilities, parking facilities, waterways,
32 docks, wharves, and other improvements necessary or convenient for the
33 construction, maintenance, and operation of any structure.

34 (20) Unit of local government. – A county, city, town, or municipality of this State,
35 and any other political subdivision, public corporation, authority, or district in
36 this State, that is or may be authorized by law to acquire, establish, construct,
37 improve, maintain, own, or operate a rail corridor.

38 (21) Unit of local government's chief administrative official. – The county
39 manager, city manager, town manager, or other person in whom the
40 responsibility for the unit of local government's administrative duties is
41 vested.

42 **"§ 160A-882. Definition of territorial jurisdiction of the Authority; rail corridor boundary**
43 **and service area designation.**

44 (a) An Authority may be created for any area of the State that, at the time of creating the
45 Authority, meets the following criteria:

46 (1) The area consists of three or more contiguous counties each containing
47 portions of an existing rail corridor, with one of the counties having a
48 population in excess of 150,000 but less than 200,000 based on the 2020
49 census and the other two contiguous counties having a population in excess of
50 75,000 but less than 90,000 based on the same census.

- 1 (2) The distance between the rail corridor milepost origination and termination
2 points is no more than 25 miles in length.
- 3 (3) If the Authority intends to receive existing rail corridor interests in property,
4 those rail property interests can be transferred to the Authority without
5 purchase of those rail corridor interests in property.
- 6 (4) An Authority shall not have jurisdiction over any Class I railroad, as that term
7 is defined under 49 U.S.C. § 20102 and 49 C.F.R. § 1201.1-1, nor a rail line
8 or rail corridor owned or operated by the United States Department of
9 Defense, nor a rail line owned or operated by the North Carolina Railroad
10 Company or its subsidiaries.

11 (b) The territorial jurisdiction of the Authority shall be coterminous with the boundaries
12 of the three or more organizing counties, except as provided in subdivision (3) of subsection (a)
13 of this section.

14 (c) The rail corridor service area of the Authority shall be designated by and recorded in
15 the minutes of the Board of Trustees, consistent with its purpose, and shall not exceed the
16 immediately adjacent and proximate area of the rail corridor as owned or otherwise controlled
17 by the Authority for the powers provided under G.S. 160A-886.

18 (d) The boundaries of the rail corridor of the Authority shall be designated by and
19 recorded in the minutes of the Board of Trustees once the properties and rail line making up the
20 rail corridor are in the Authority's possession or control. If there is a change in the rail corridor
21 boundaries after it is initially designated, the rail corridor designation shall be updated and
22 recorded in the minutes of the Board of Trustees at its next meeting. The Authority may not
23 extend the rail corridor into a political subdivision that is not an organizing entity under
24 G.S. 160A-883 without (i) the consent of the governing body of that political subdivision or (ii)
25 the political subdivision having first become an organizing entity as provided under
26 G.S. 160A-883(e). A majority vote of the governing body shall constitute consent. The Authority
27 may not at any time extend its rail corridor to be longer than 25 miles in compliance with
28 subdivision (2) of subsection (a) of this section through any subsequent addition.

29 (e) The designation required by subsection (d) of this section shall describe the rail
30 corridor boundaries by its rail milepost origination and termination points and one or more of the
31 following:

- 32 (1) Reference to a map, deed, or other title instrument.
- 33 (2) Metes and bounds.
- 34 (3) General descriptions referring to natural boundaries, boundaries of existing
35 political subdivisions, or boundaries of tracts or parcels of land.

36 **"§ 160A-883. Creation and expansion of Authority.**

37 (a) Resolution of Creation. – An Authority may be organized under the provisions of this
38 Article upon the adoption of a resolution to create such an Authority by the boards of
39 commissioners of all three or more counties within an area for which an Authority may be created
40 pursuant to G.S. 160A-882(a) and the elected board of each municipality containing a portion of
41 the rail corridor.

42 (b) Public Hearing. – A resolution to form an Authority under this Article shall be
43 adopted after a public hearing. Notice of the public hearing must be given at least once, not less
44 than 10 days prior to the date fixed for the hearing, in a newspaper having a general circulation
45 in the county. The notice must contain a brief statement of the substance of the proposed
46 resolution; a description of the rail corridor to be controlled, purchased, or otherwise operated by
47 the Authority; the proposed articles of incorporation of the Authority; and the time and place of
48 the public hearing.

49 (c) Articles of Incorporation. – A resolution to form an Authority under this Article must
50 include articles of incorporation that set forth all of the following:

- 51 (1) The name of the Authority.

1 (2) A statement that the Authority is organized under this Article.

2 (3) The name of each organizing entity.

3 (d) Certificate of Incorporation. – A certified copy of each resolution organizing an
4 Authority under the provisions of this Article shall be filed with the Secretary of State, together
5 with proof of publication of the notice of hearing. If the Secretary of State finds that each
6 resolution, including the articles of incorporation, conform to the provisions of this Article and
7 that the notice of hearing was properly published, then the Secretary must issue a certificate of
8 incorporation under the seal of the State and record the same in an appropriate book of record.
9 The issuance of the certificate of incorporation by the Secretary of State shall constitute the
10 Authority a public body and body politic and corporate of the State of North Carolina. The
11 certificate of incorporation is conclusive evidence of the fact that the Authority has been duly
12 created and established under the provisions of this Article.

13 (e) Resolution to Join. – If, at any time subsequent to the creation of an Authority, the
14 Authority proposes or otherwise intends to extend the rail corridor into a county or municipality
15 that is not already an organizing entity of the Authority, that county or municipality may join the
16 Authority under the provisions of this Article upon the adoption of a resolution to join by the
17 elected board of the county or municipality. A resolution to join an Authority under this Article
18 shall be adopted after a public hearing. Notice of the public hearing must be given at least once,
19 not less than 10 days prior to the date fixed for the hearing, in a newspaper having a general
20 circulation in the county. The notice must contain a brief statement of the substance of the
21 proposed resolution; a description of the rail corridor to be controlled, purchased, or otherwise
22 operated by the Authority; the proposed articles of incorporation of the Authority as updated to
23 include the new organizing entity; and the time and place of the public hearing. A certified copy
24 of each resolution to join an Authority under the provisions of this Article shall be filed with the
25 Secretary of State, together with proof of publication of the notice of hearing. If the Secretary of
26 State finds that the resolution, including the updated articles of incorporation, conform to the
27 provisions of this Article and that the notice of hearing was properly published, then the Secretary
28 of State must issue an updated certificate of incorporation under the seal of the State and record
29 the same in an appropriate book of record. The updated certificate of incorporation is conclusive
30 evidence of the fact that the Authority has been duly updated under the provisions of this Article.
31 The Authority may not at any time extend its rail corridor to be longer than 25 miles in
32 compliance with G.S. 160A-882(a)(2) through any subsequent addition of a county or
33 municipality.

34 (f) Members. – When the Authority has been duly organized or updated and its members
35 appointed to the Board of Trustees, the chair of the Board of Trustees shall certify to the Secretary
36 of State the names and addresses of the members as well as the address of the principal office of
37 the Authority.

38 (g) Members Not Liable. – No member of the Board of Trustees shall be subject to any
39 personal liability or accountability by reason of their execution of any debt held by the Authority.

40 (h) Compensation of the Board of Trustees. – Members of the Board of Trustees shall
41 receive the sum of fifty dollars (\$50.00) as compensation for the attendance at each duly
42 conducted meeting of the Authority.

43 (i) The Authority shall, promptly following the close of each fiscal year, submit an
44 annual report of its activities for the preceding year to the Governor, the General Assembly, and
45 the Local Government Commission. Each report shall be accompanied by an audit of its books
46 and accounts. The costs of all audits, whether conducted by the State Auditor's staff or contracted
47 with a private auditing firm, shall be paid from funds of the Authority. The Authority shall submit
48 annual reports to the Joint Legislative Commission on Governmental Operations. The reports
49 shall summarize the Authority's activities during the quarter and contain any information about
50 the Authority's activities that is requested by the Commission.

51 **"§ 160A-884. Board of Trustees.**

1 (a) Members. – The Authority shall be governed by a Board of Trustees and consist of
2 one member for each organizing entity having adopted a resolution for the creation of or a
3 resolution to join the Authority under G.S. 160A-883, and one member for each regional council
4 of government, as created pursuant to Part 2 of Article 20 of Chapter 160A of the General
5 Statutes, containing a portion of the rail corridor.

6 (b) Appointment. – The Board of Trustees seats held by each member of the organizing
7 entities having adopted a resolution for the creation of or a resolution to join the Authority shall
8 be filled by the respective unit of local government's chief administrative official or its designee.
9 The Board of Trustees seats held by each regional council of government containing a portion of
10 the rail corridor shall be held by the Executive Director of that council or the Executive Director's
11 designee.

12 (c) Ex Officio. – Any unit of local government's chief administrative official serving on
13 the Board of Trustees is an ex officio voting member as part of the duties of their office in
14 accordance with G.S. 128-1.2 and not considered to be serving in a separate office.

15 (d) Ethics. – Members of the Board of Trustees are subject to the provisions of
16 G.S. 136-13, 136-13.1, and 136-14.

17 (e) Quorum. – A majority of the membership of the Board of Trustees, excluding vacant
18 seats, shall constitute a quorum. A member who has withdrawn from a meeting without being
19 excused by a majority vote of the remaining members present shall be counted as present for the
20 purposes of determining whether or not a quorum is present. No member shall be excused from
21 voting except upon matters involving the consideration of the member's own financial interest or
22 official conduct or on matters on which the member is prohibited from voting under any other
23 provision of law.

24 (f) Action. – An affirmative vote equal to a majority of all members of the Board of
25 Trustees not excused from voting on the question at issue shall be required to authorize or commit
26 the expenditure of public funds, or make, ratify, or authorize any contract on behalf of the
27 Authority.

28 (g) Chair and Vice-Chair of the Board of Trustees. – At the first meeting of the Board of
29 Trustees, the chair of the Board of Trustees shall be elected from the Board of Trustees'
30 membership by a majority vote of a quorum of the Board of Trustees. Also, at the first meeting
31 of the Board of Trustees, and from the remaining Board of Trustees' membership not elected as
32 chair, a vice-chair of the Board of Trustees shall be elected by a majority vote of a quorum of the
33 Board of Trustees to fulfill the roles and duties of the chair of the Board of Trustees in the chair's
34 absence. The terms of the chair and vice-chair so elected shall be for three years with no limit on
35 the number of consecutive terms for which the chair or vice-chair may serve.

36 (h) Vacancies. – All members of the Board of Trustees shall remain in office unless (i) a
37 unit of local government's chief administrative official no longer holds that office in its respective
38 government, (ii) a unit of local government's chief administrative official replaces its designee,
39 (iii) the Executive Director of the regional council of government no longer holds the office of
40 Executive Director of the council, or (iv) the Executive Director of the council replaces its
41 designee. A vacancy for the chair of the Board of Trustees shall be filled by the vice-chair for the
42 remainder of the applicable three-year term, and a special election for a replacement vice-chair
43 shall occur at the next Board of Trustees meeting pursuant to the procedure set out in subsection
44 (g) of this section. A vacancy of the vice-chair shall prompt a special election for a replacement
45 vice-chair at the next Board of Trustees meeting pursuant to the procedure set out in subsection
46 (g) of this section.

47 **§ 160A-885. Advisory committees.**

48 The Board of Trustees may provide for the selection of such advisory committees as it may
49 find appropriate, which may or may not include members of the Board of Trustees.

50 **§ 160A-886. Rail Transportation Corridor Authority.**

- 1 (a) The Authority shall have all powers necessary to execute the provisions of this
2 Article, which shall include at least the following powers:
- 3 (1) The powers of a corporate body, including the power to sue and be sued, to
4 make contracts, to adopt and use a common seal, and to alter the adopted seal
5 as needed.
 - 6 (2) To make rules and regulations and create and operate agencies, committees,
7 and departments as needed to implement this Article.
 - 8 (3) To pay all necessary costs and expenses in the formation, organization,
9 administration, and operation of the Authority.
 - 10 (4) To employ persons deemed necessary to carry out the functions and duties
11 assigned to them by the Authority and to fix their compensation within the
12 limit of available funds.
 - 13 (5) To retain and employ counsel, appraisers, auditors, architects, engineers,
14 private consultants, and real estate counselors on an annual salary, contract
15 basis, or otherwise for rendering professional or technical services from funds
16 available to the Authority.
 - 17 (6) To operate a rail corridor and enter and perform contracts to provide and
18 operate rail and rail corridor services and facilities within the rail corridor
19 service area.
 - 20 (7) To charge and collect fees and rents for the use of the rail corridor or for
21 services rendered in the operation of the rail corridor.
 - 22 (8) To develop and make data, plans, information, surveys, and studies within the
23 territorial jurisdiction of the Authority and to prepare and make
24 recommendations in regard thereto.
 - 25 (9) To enter in a reasonable manner lands, waters, or premises of the territorial
26 jurisdiction for the purpose of making data, examinations, plans, surveys, and
27 studies whereby such entry shall not be deemed a trespass except that the
28 Authority shall be liable for any actual and consequential damages resulting
29 from such entries.
 - 30 (10) To purchase or finance real or personal property in the manner provided for
31 cities and counties under G.S. 160A-20.
 - 32 (11) To acquire, lease as lessee with or without option to purchase, hold, own, and
33 use any property within the rail corridor service area, real or personal, tangible
34 or intangible, or any interest therein, and to sell, lease as lessor with or without
35 option to purchase, transfer, or dispose thereof, whenever the same is no
36 longer required for purposes of the Authority, or exchange same for other
37 property or rights that are useful for the Authority's purposes, including
38 construction of bridges, buildings, cargo transfer systems, culverts, facilities,
39 industrial track, main track, mass transit systems, maintenance yards,
40 marshalling yards, rights-of-way, roadbed, sidings, structures, transfer yards,
41 tunnels, and all other railroad appurtenances. Before constructing a bridge, the
42 Authority shall consult with the Department of Transportation.
 - 43 (12) To acquire by gift, purchase, lease as lessee with or without option to purchase
44 or otherwise to construct, improve, maintain, repair, operate, or administer
45 any component parts of a rail corridor or to contract for the maintenance,
46 operation, or administration thereof, or to lease as lessor the same for
47 maintenance, operation, or administration by private parties.
 - 48 (13) To make or enter contracts, agreements, deeds, leases with or without option
49 to purchase, conveyances, or other instruments, including contracts and
50 agreements with the United States, the State of North Carolina, units of local

1 government, public transportation authorities, and private parties, to
2 effectuate the purpose of this Article.

3 (14) With the consent of the unit of local government that would otherwise have
4 jurisdiction to exercise the powers enumerated in this subdivision, to issue
5 certificates of public convenience and necessity, and to grant franchises and
6 enter into franchise agreements, and in all respects to regulate the operation
7 of rail, buses, trams, taxicabs, and other methods of public transportation that
8 originate and terminate within the rail corridor as fully as the unit of local
9 government is now or hereafter empowered to do within the jurisdiction of the
10 unit of local government.

11 (15) To finance the costs of a rail corridor project or any part thereof and to refund,
12 whether or not in advance of maturity or the earliest redemption date, any such
13 debt. The principal of and interest on the debt is payable solely from the
14 revenues pledged to its payment and neither the State, municipality, or county
15 is obligated to pay the principal or interest, except from such revenues.

16 (16) To apply for, accept, and administer loans and grants of money from any
17 federal agency, the State, or its political subdivisions, or from any other public
18 or private sources available, to expend the money in accordance with the
19 requirements imposed by the lender or donor, and to give any evidence of
20 indebtedness that are required. No indebtedness of any kind incurred or
21 created by the Authority shall constitute an indebtedness of the State or its
22 political subdivisions, and no indebtedness of the Authority shall involve or
23 be secured by the faith, credit, or taxing power of the State or its political
24 subdivisions.

25 (b) To execute the powers provided in subsection (a) of this section, the Board of Trustees
26 shall determine the policies of the Authority by majority vote of the members of the Board of
27 Trustees present and voting, a quorum having been established. Once a policy is determined, the
28 Board of Trustees shall communicate it to the chair, who shall have the sole and exclusive
29 authority to execute the policy of the Authority. No member of the Board of Trustees shall have
30 the responsibility or authority to give operational directives to any employee of the Authority
31 other than the chair.

32 **"§ 160A-887. Fiscal accountability.**

33 An Authority created under this Article is a public authority subject to the provisions of
34 Chapter 159 of the General Statutes.

35 **"§ 160A-888. Funds.**

36 The establishment and operation of an Authority are governmental functions and constitute
37 a public purpose, and the State of North Carolina and any unit of local government may
38 appropriate funds to support the establishment and operation of the Authority. The State of North
39 Carolina and any unit of local government may also dedicate, sell, convey, donate, or lease any
40 of their interests in any property to the Authority. An Authority may apply for grants from the
41 State of North Carolina, or from the United States or any department, agency, or instrumentality
42 thereof. The Department of Transportation may allocate to an Authority any funds appropriated
43 for rail corridors, public transportation, or any funds whose use is not restricted by law.

44 **"§ 160A-889. Special user project financing agreement.**

45 (a) Every special user project financing agreement shall contain provisions ensuring all
46 of the following:

47 (1) That the amounts payable under the financing agreement are sufficient to pay,
48 when due, the principal of, redemption premium, if any, and interest on debt
49 held to pay the costs of the special user project.

50 (2) That the operator pays all costs incurred by the Authority in connection with
51 the financing and administration of the special user project, including

1 insurance costs, the cost of administering the financing agreement and the
2 security document, and the fees and expenses of the fiscal agent or trustee,
3 paying agents, attorneys, consultants, and others.

4 (3) That the operator pays all of the costs and expenses of operation, maintenance,
5 and upkeep of the special user project.

6 (b) The financing agreement, if in the nature of a lease agreement, shall either provide
7 that the obligor shall have an option to purchase, or require that the obligor purchase, the special
8 user project upon the expiration or termination of the financing agreement subject to the condition
9 that payment in full of the debt principal shall have been made.

10 (c) The financing agreement may provide the Authority with rights and remedies in the
11 event of a default by the obligor, including, without limitation, any one or more of the following:

12 (1) Acceleration of all amounts payable under the financing agreement.

13 (2) Reentry and repossession of the special user project.

14 (3) Termination of the financing agreement.

15 (4) Leasing or sale of foreclosure of the special user project to others.

16 (5) Taking whatever actions at law or in equity may appear necessary or desirable
17 to collect the amounts payable under, and to enforce covenants made in, the
18 financing agreement.

19 (d) The Authority's interest in a special user project under a financing agreement may be
20 that of owner, lessor, lessee, conditional or installment vendor, mortgagor, mortgagee, secured
21 party, or otherwise, but the Authority need not have any ownership or possessory interest in the
22 special user project.

23 (e) The Authority may assign all or any of its rights and remedies under the financing
24 agreement to debt holders under a security document.

25 (f) The financing agreement may contain additional provisions as in the determination
26 of the Board of Trustees are necessary or convenient to effectuate the purposes of this Article.

27 **"§ 160A-890. County and municipal agreements.**

28 Any county or municipality in which all or part of the rail corridor is located may enter into
29 an agreement with the Authority providing for payments to be made by the county or
30 municipality, as applicable, to the Authority. A county or municipality may not enter into an
31 agreement to make payments to the Authority until after the Authority designates the rail
32 corridor. Neither the county nor municipality's obligations under the agreement shall constitute
33 a pledge of its faith and credit. The Authority has the power and authorization to enter into
34 agreements with such local governments as provided in the Interlocal Cooperation Act,
35 G.S. 160A-460 through G.S. 160A-466.

36 **"§ 160A-891. Taxation of property.**

37 The property of the Authority, both real and personal, its acts, activities, and income shall be
38 exempt from any tax or tax obligation; in the event of any lease of Authority property, or other
39 arrangement which amounts to a leasehold interest, to a private party, this exemption shall not
40 apply to the value of such leasehold interest, nor shall it apply to the income of the lessee.
41 Otherwise, however, for the purpose of taxation, when property of the Authority is leased to
42 private parties solely for the purpose of the Authority, the acts and activities of the lessee shall
43 be considered as the acts and activities of the Authority and the exemption. The interest on debt
44 or obligations held by the Authority shall be exempt from State taxes. Property that is part of or
45 is located on the rail corridor and is not owned by the Authority, including property that is part
46 of a special user project, is not exempt from tax due to its location.

47 **"§ 160A-892. Authority of Utilities Commission not affected.**

48 (a) Except as otherwise provided in this Article, nothing in this Article shall be construed
49 to limit or otherwise affect the power or authority of the North Carolina Utilities Commission or
50 the right of appeal to the North Carolina Utilities Commission as provided by law.

1 (b) The North Carolina Utilities Commission shall not have jurisdiction over rates, fees,
2 charges, routes, and schedules of an Authority for service within the rail corridor.

3 **"§ 160A-893. Removal and relocation of utility structures.**

4 (a) The Authority shall have the power to require any public utility, railroad, or other
5 public service corporation owning or operating any installations, structures, equipment,
6 apparatus, appliances, or facilities in, upon, under, over, across, or along any ways on which the
7 Authority has the right to own, construct, operate, or maintain its rail corridor, to relocate such
8 installation, structures, equipment, apparatus, appliances, or facilities from their locations, or, in
9 the sole discretion of the affected public utility, railroad, or other public service corporation, to
10 remove such installations, structures, equipment, apparatus, appliances, or facilities from their
11 locations.

12 (b) If the owner or operator thereof fails or refuses to relocate them, the Authority may
13 proceed to do so.

14 (c) The Authority shall provide any necessary new locations and necessary real estate
15 interests for such relocation, and for that purpose the power of eminent domain as provided in
16 G.S. 160A-894 may be exercised provided the new locations shall not be in, on, or above, a
17 public highway; the Authority may also acquire the necessary new locations by purchase or
18 otherwise.

19 (d) Any affected public utility, railroad, or other public service corporation shall be
20 compensated for any real estate interest taken in a manner consistent with G.S. 160A-894, subject
21 to the right of the Authority to reduce the compensation due by the value of any property
22 exchanged under this section.

23 (e) The method and procedures of a particular adjustment to the facilities of a public
24 utility, railroad, or other public service corporation shall be covered by an agreement between
25 the Authority and the affected party or parties.

26 (f) The Authority shall reimburse the public utility, railroad, or other public service
27 corporation, for the cost of relocations or removals which shall be the entire amount paid or
28 incurred by the utility properly attributable thereto after deducting the cost of any increase in the
29 service capacity of the new installations, structures, equipment, apparatus, appliances, or
30 facilities and any salvage value derived from the old installations, structures, equipment,
31 apparatus, or appliances.

32 **"§ 160A-894. Acquisition, disposition, or exchange of real property.**

33 (a) The Authority shall have continuing power to acquire, by gift, grant, devise,
34 exchange, purchase, lease with or without option to purchase, or any other lawful method,
35 including, but not limited to, the power of eminent domain, the fee or any lesser interest in real
36 or personal property for use by the Authority. The Authority may not acquire or take by eminent
37 domain nor by any means, including federal regulatory action, property owned or operated by
38 any Class I railroad, as that term is defined under 49 U.S.C. § 20102 and 49 C.F.R. § 1201.1-1,
39 nor a rail line or rail corridor owned or operated by the United States Department of Defense, nor
40 a rail line owned or operated by the North Carolina Railroad Company or its subsidiaries, without
41 that railroad's consent.

42 (b) Exercise of the power of eminent domain by the Authority shall be in accordance with
43 Chapter 40A of the General Statutes.

44 (c) Exchange. – The Authority may exchange any property it acquires for other property
45 usable in carrying out the powers conferred on the Authority and also, upon the payment of just
46 compensation, may remove a building or another structure from land needed for its purposes and
47 reconstruct the structure on another location. The Authority may not use the power of eminent
48 domain to acquire property for exchange.

49 (d) Site Selection. – In selecting one or more sites for adjoining rail facilities or property
50 for shell or storage buildings, the Authority shall consider comprehensive plans and land-use
51 regulations adopted by local governments and the capability of local governments to provide

1 services as specified in subdivisions (1) through (3) of this subsection. This subsection shall not
 2 be construed to require the Authority to comply with any local ordinance, regulation, or plan
 3 except as may be otherwise specifically provided by federal or State law, regulation, or rule.
 4 Plans, regulations, and capabilities to be considered are:

- 5 (1) Local comprehensive plans, including education, emergency response, law
 6 enforcement, water supply, stormwater management, solid waste
 7 management, and wastewater treatment.
- 8 (2) Local land use regulations, including appearance, floodplain zoning,
 9 subdivision zoning, and watershed protection elements.
- 10 (3) The capability of local governments to provide services and manage growth
 11 and development related to the establishment of the rail corridor.

12 **§ 160A-895. Termination.**

13 Whenever the Board of Trustees shall by resolution determine that the purposes for which
 14 the Authority was formed have been substantially fulfilled and that debt held and all other
 15 obligations incurred by the Authority have been fully paid or satisfied, the Board may declare
 16 the Authority to be dissolved. On the effective date of the resolution, the title to all funds and
 17 other property owned by the Authority at the time of the dissolution shall vest in and possession
 18 of the funds and other property shall be delivered to the State."

19 **SECTION 19.4.(b)** G.S. 160A-20 reads as rewritten:

20 **§ 160A-20. Security interests.**

21 ...

22 (h) Local Government Defined. – As used in this section, the term "unit of local
 23 government" means any of the following:

24 ...

- 25 (16) A Rail Transportation Corridor Authority created pursuant to Article 33 of
 26 this Chapter."

27
 28 **DELAY SUNSET FOR CERTAIN DESIGN-BUILD CONTRACTS USING FEDERAL**
 29 **FUNDS**

30 **SECTION 21.** Section 5.17(b) of S.L. 2021-180, as enacted by Section 1.6 of S.L.
 31 2021-189, reads as rewritten:

32 **"SECTION 5.17.(b)** This section expires on ~~December 31, 2025;~~ December 31, 2027,
 33 provided, however, any design-build contract executed pursuant to this section prior to December
 34 31, 2025, December 31, 2027, shall be valid and the unit may continue to make payments under
 35 the contract entered into prior to December 31, 2025, December 31, 2027, so long as the contract
 36 was executed as provided in subsection (a) of this section."

37
 38 **PART IV. MISCELLANEOUS**

39
 40 **REQUIRE AN ADDITIONAL MEANS OF NOTICE TO ADVERTISE PROPERTY TAX**
 41 **LIENS IN ADDITION TO THOSE CURRENTLY REQUIRED BY LAW**

42 **SECTION 22.(a)** G.S. 105-369(c) reads as rewritten:

43 "(c) Time and Contents of Advertisement. – A tax collector's failure to comply with this
 44 subsection does not affect the validity of the taxes or tax liens. The county tax collector shall
 45 advertise county tax liens by posting a notice of the liens at the county courthouse and by
 46 publishing each lien at least one time in one or more newspapers having general circulation in
 47 the taxing unit. The municipal tax collector shall advertise municipal tax liens by posting a notice
 48 of the liens at the city or town hall and by publishing each lien at least one time in one or more
 49 newspapers having general circulation in the taxing unit. A tax collector shall, in addition to the
 50 advertisements required by this section, also advertise a tax lien by posting a notice of the lien in
 51 a conspicuous manner at the parcel to be advertised. Advertisements of tax liens shall be made

1 during the period March 1 through June 30. The costs of newspaper advertising shall be paid by
2 the taxing unit. If the taxes of two or more taxing units are collected by the same tax collector,
3 the tax liens of each unit shall be advertised separately unless, under the provisions of a special
4 act or contractual agreement between the taxing units, joint advertisement is permitted.

5 ~~The posted notice~~ All posted notices and newspaper advertisement advertisements shall set
6 forth the following information:

7"

8 **SECTION 22.(b)** This section is effective for taxes imposed for taxable years
9 beginning on or after January 1, 2025.

10 **DELIVERY OF PERMITS ISSUED BY STATE AGENCIES**

11 **SECTION 22.1.(a)** Article 10 of Chapter 143 of the General Statutes is amended by
12 adding a new section to read:

13 **"§ 143-162.6. Delivery of permits issued by State agencies.**

14 (a) Notwithstanding any provision of law to the contrary, each executive branch agency
15 shall establish a policy to send any permits issued by the agency to permittees using one or more
16 of the following methods instead of requiring the permittee to pick up the permit at an agency
17 office or other physical location:

18 (1) Via United States mail or a designated delivery service authorized pursuant to
19 26 U.S.C. § 7502(f)(2). An agency may charge the permittee for costs of
20 delivery.

21 (2) By electronic mail, as appropriate, if the permittee consents to such delivery
22 in advance.

23 (b) A permittee may opt to receive a permit issued by an executive branch agency in
24 person if the agency offers in-person pickup at an agency office or other physical location.

25 (c) Nothing in this section is intended to change the method by which an applicant is
26 required to apply for a permit or to prohibit an agency from adopting policies to exercise due
27 diligence in verifying a permittee's identity.

28 (d) This section does not apply to the legislative or judicial branch of government."

29 **SECTION 22.1.(b)** Article 23 of Chapter 153A of the General Statutes is amended
30 by adding a new section to read:

31 **"§ 153A-461. Delivery of permits issued by county agency.**

32 (a) Notwithstanding any provision of law to the contrary, each county agency shall
33 establish a policy to send any permits issued by the agency to permittees using one or more of
34 the following methods instead of requiring the permittee to pick up the permit at an agency office
35 or other physical location:

36 (1) Via United States mail or a designated delivery service authorized pursuant to
37 26 U.S.C. § 7502(f)(2). An agency may charge the permittee for costs of
38 delivery.

39 (2) By electronic mail, as appropriate, if the permittee consents to such.

40 (b) A permittee may opt to receive a permit issued by a county agency in person if the
41 agency offers in-person pickup at an agency office or other physical location.

42 (c) Nothing in this section is intended to change the method by which an applicant is
43 required to apply for a permit or to prohibit an agency from adopting policies to exercise due
44 diligence in verifying a permittee's identity.

45 (d) This section does not apply to any permit issued pursuant to Article 54B of Chapter
46 14 of the General Statutes."

47 **SECTION 22.1.(c)** Article 21 of Chapter 160A of the General Statutes is amended
48 by adding a new section to read:

49 **"§ 160A-499.6. Delivery of permits issued by city agency.**

1 (a) Notwithstanding any provision of law to the contrary, each city agency shall establish
2 a policy to send any permits issued by the agency to permittees using one or more of the following
3 methods instead of requiring the permittee to pick up the permit at an agency office or other
4 physical location:

5 (1) Via United States mail or a designated delivery service authorized pursuant to
6 26 U.S.C. § 7502(f)(2). An agency may charge the permittee for costs of
7 delivery.

8 (2) By electronic mail, as appropriate, if the permittee consents to such delivery.

9 (b) A permittee may opt to receive a permit issued by a city agency in person if the agency
10 offers in-person pickup at an agency office or other physical location.

11 (c) Nothing in this section is intended to change the method by which an applicant is
12 required to apply for a permit or to prohibit an agency from adopting policies to exercise due
13 diligence in verifying a permittee's identity."

14 **SECTION 22.1.(d)** Each executive branch agency, county agency, and city agency
15 shall adopt the policy required by G.S. 143-162.6, 153A-461, and 160A-499.6, as enacted by this
16 section, no later than September 1, 2024.

17 **SECTION 22.1.(e)** This section is effective when it becomes law.

18
19 **CLARIFY PROHIBITION ON COUNTIES AND CITIES ENACTING AND**
20 **ENFORCING CERTAIN ORDINANCES, RULES, AND REGULATIONS RELATED**
21 **TO BATTERY-CHARGED SECURITY FENCES**

22 **SECTION 22.5.(a)** G.S. 153A-134.1 reads as rewritten:

23 **"§ 153A-134.1. Regulation of battery-charged security fences.**

24 (a) No county may adopt an ordinance, rule, or regulation or enforce an existing
25 ordinance, rule, or regulation that does any of the following:

26 (1) Requires any type of permit, fee, review, or approval for the installation or use
27 of a battery-charged security fence in addition to a permit that may be required
28 by an ordinance adopted by the governing board as authorized by
29 G.S. 74D-11(c).

30 (2) Imposes installation or operational requirements for battery-charged security
31 fences that are inconsistent with the requirements and standards described in
32 subsection (b) of this section.

33 (3) Prohibits the installation or use of a battery-charged security fence on property
34 that has been zoned exclusively for nonresidential use.

35 (b) For purposes of this section, the term "battery-charged security fence" means an alarm
36 system and ancillary components, or equipment attached to that system, including a fence, a
37 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,
38 and a battery charging device used exclusively to charge the battery. A battery-charged security
39 fence shall meet the following requirements:

40 (1) Interfaces with a monitored alarm device enabling the alarm system to
41 transmit a signal intended to summon the business or law enforcement in
42 response to an intrusion or burglary.

43 (2) Is located on property that is not designated by a county or city exclusively
44 for residential use.

45 (3) Has an energizer that is powered by a commercial storage battery that is not
46 more than 12 volts of direct current.

47 (4) Has an energizer that meets the standards established by the most current
48 version of the International Electrotechnical Commission Standard
49 60335-2-76.

50 (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5
51 feet in height.

- 1 (6) ~~Does not exceed~~ Is 10 feet in height or 2 feet higher than the non-electric
2 perimeter fence or wall, whichever is higher.
3 (7) Is marked with conspicuous warning signs that are located on the
4 battery-charged security fence at not more than 30-foot intervals and read:
5 "WARNING-ELECTRIC FENCE".

6 **SECTION 22.5.(b)** G.S. 160A-194.1 reads as rewritten:

7 **"§ 160A-194.1. Regulation of battery-charged security fences.**

8 (a) No city may adopt an ordinance, rule, or regulation or enforce an existing ordinance,
9 rule, or regulation that does any of the following:

- 10 (1) Requires any type of permit, fee, review, or approval for the installation or use
11 of a battery-charged security fence in addition to a permit that may be required
12 by an ordinance adopted by the governing board as authorized by
13 G.S. 74D-11(c).
14 (2) Imposes installation or operational requirements for battery-charged security
15 fences that are inconsistent with the requirements and standards described in
16 subsection (b) of this section.
17 (3) Prohibits the installation or use of a battery-charged security fence on property
18 that has been zoned exclusively for nonresidential use.

19 (b) For purposes of this section, the term "battery-charged security fence" means an alarm
20 system and ancillary components, or equipment attached to that system, including a fence, a
21 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,
22 and a battery charging device used exclusively to charge the battery. A battery-charged security
23 fence shall meet the following requirements:

- 24 (1) Interfaces with a monitored alarm device enabling the alarm system to
25 transmit a signal intended to summon the business or law enforcement in
26 response to an intrusion or burglary.
27 (2) Is located on property that is not designated by a county or city exclusively
28 for residential use.
29 (3) Has an energizer that is powered by a commercial storage battery that is not
30 more than 12 volts of direct current.
31 (4) Has an energizer that meets the standards established by the most current
32 version of the International Electrotechnical Commission Standard
33 60335-2-76.
34 (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5
35 feet in height.
36 (6) ~~Does not exceed~~ Is 10 feet in height or 2 feet higher than the non-electric
37 perimeter fence or wall, whichever is higher.
38 (7) Is marked with conspicuous warning signs that are located on the
39 battery-charged security fence at not more than 30-foot intervals and read:
40 "WARNING-ELECTRIC FENCE".

41 **SECTION 22.5.(c)** This section is effective when it becomes law and applies to the
42 ordinances adopted before the effective date and to ordinances adopted on or after the effective
43 date.

44
45 **ADVANCED AIR MOBILITY RADAR SYSTEMS**

46 **SECTION 23.(a)** Article 9 of Chapter 160D of the General Statutes is amended by
47 adding a new Part to read:

48 "Part 6. Unmanned Aircraft Traffic Control Devices.

49 **"§ 160D-970. Advanced air mobility radar.**

1 (a) A local government may plan for and regulate the siting, installation, modification,
2 maintenance, and removal of advanced air mobility radar for traffic control of unmanned aircraft
3 systems flown in accordance with Article 10 of Chapter 63 of the General Statutes.

4 (b) Nothing contained in this Part shall amend, modify, or otherwise affect any easement
5 between private parties. Any and all rights for the use of a right-of-way are subject to the rights
6 granted pursuant to an easement between private parties.

7 (c) A local government may require a permit applicant to remove abandoned advanced
8 air mobility radar within 180 days of abandonment. If not timely removed, the local government
9 may remove the abandoned advanced air mobility radar and may recover the actual cost of such
10 removal, including legal fees, if any, from the permit applicant.

11 (d) Nothing in this Part shall be construed to limit the provisions or requirements of any
12 historic district or landmark regulation adopted pursuant to this Chapter.

13 **"§ 160D-971. Definitions.**

14 For purposes of this Part, the following definitions shall apply:

15 (1) Advanced air mobility radar. – A system for detecting the presence, direction,
16 distance, and speed of unmanned electrical aircraft or electric vertical take-off
17 and landing aircraft, in both controlled and uncontrolled airspace, by sending
18 out pulses of high-frequency electromagnetic waves that are reflected off the
19 object back to the source that supports a transportation system of unmanned
20 electrical aircraft or electric vertical take-off and landing aircraft.

21 (2) Collocation. – The placement, installation, maintenance, modification,
22 operation, or replacement of advanced air mobility radar on the surface of
23 existing structures, including water towers, buildings, and other structures
24 capable of structurally supporting the attachment of advanced air mobility
25 radar in compliance with applicable codes. The term does not include the
26 installation or construction of new structures.

27 (3) Permit applicant. – A North Carolina nonprofit corporation with a certificate
28 of existence under G.S. 55A-1-28 with the primary purpose of promotion and
29 growth of advanced air mobility technology in this State.

30 (4) Water tower. – A water storage tank, a standpipe, or an elevated tank situated
31 on a support structure originally constructed for use as a reservoir or facility
32 to store or deliver water.

33 **"§ 160D-972. Siting and construction of advanced air mobility radar.**

34 (a) A permit applicant that proposes to construct advanced air mobility radar within the
35 planning and development regulation jurisdiction of a local government shall do all of the
36 following:

37 (1) Submit a completed application with the necessary copies and attachments to
38 the local government, including documentation of any collocation agreement.

39 (2) Comply with all development regulations.

40 (3) Obtain all applicable development approvals.

41 (b) A local government shall not assess a fee for the application for, or the installation
42 and use of, advanced air mobility radar provided the advanced air mobility radar is installed and
43 operated in compliance with the standards and requirements set forth in this Part.

44 (c) In reviewing an application, the local government may review the following:

45 (1) Applicable public safety and development regulations, including aesthetics,
46 landscaping, land-use based location priorities, structural design, setbacks,
47 and fall zones.

48 (2) Information or materials directly related to an identified public safety or
49 development regulation.

50 (3) If a collocation agreement is not included with the completed application, a
51 local government may require permit applicants to evaluate the reasonable

1 feasibility of collocation, including information necessary for the local
 2 government to determine whether collocation is reasonably feasible.

3 (d) The local government shall make a determination approving or denying an application
 4 under this section within 30 days after the completed application is received.

5 (e) The local government may condition approval of an application for a new advanced
 6 air mobility radar on any of the following:

7 (1) If not included in the completed application, the provision of a collocation
 8 agreement if collocation is deemed feasible.

9 (2) The permit applicant obtaining a Federal Communications Commission
 10 operator license for any spectrum band required for the installation.

11 (3) The installation of the advanced air mobility radar in a manner that complies
 12 with all applicable federal and State laws, and local development regulations.

13 (4) The operation of the advanced air mobility radar in a manner that complies
 14 with all safety guidelines issued by the Federal Communications Commission
 15 regarding limiting exposure to electromagnetic radiation.

16 (5) The requirement to construct facilities within a reasonable period of time,
 17 which shall be no less than 24 months.

18 **"§ 160D-973. Collocation on local government property.**

19 (a) Subject to Article 12 of Chapter 160A of the General Statutes, a local government
 20 may agree to collocation on property owned by the local government, subject to any existing
 21 easements or lease agreements. G.S. 160A-321 shall not apply to the lease of any city-owned
 22 water tower for collocation of advanced air mobility radar.

23 (b) Within 30 days of receipt of a request for collocation, a local government shall either
 24 initiate lease or disposal of the collocation property or deny the request. A request for collocation
 25 under this section may be denied only for the following reasons:

26 (1) There is insufficient capacity.

27 (2) Reasons of safety, reliability, and generally applicable engineering principles,
 28 and those limitations cannot be remedied by rearranging, expanding, or
 29 otherwise reengineering the eligible facilities at the reasonable and actual cost
 30 of the local government to be reimbursed by the permit applicant.

31 (3) The terms of property ownership prohibit collocation."

32 **SECTION 23.(b)** This section becomes effective October 1, 2024.

33
 34 **RECONSTRUCTION/REMOVAL OF ON-PREMISES ADVERTISING SIGNS**

35 **SECTION 23.1.(a)** Part 1 of Article 9 of Chapter 160D of the General Statutes is
 36 amended by adding a new section to read:

37 **"§ 160D-912.1. On-premises advertising.**

38 (a) As used in this section, the following definitions apply:

39 (1) Monetary compensation. – An amount equal to the sum of (i) the greater of
 40 the fair market value of the nonconforming on-premises advertising sign in
 41 place immediately prior to the removal or the diminution in value of the real
 42 estate resulting from the removal of the sign and (ii) the cost of a new
 43 on-premises advertising sign that conforms to the local government's
 44 development regulations.

45 (2) On-premises advertising sign. – A sign visible from any local or State road or
 46 highway that advertises activities conducted on the property upon which it is
 47 located or advertises the sale or lease of the property upon which it is located.

48 (3) Reconstruction. – Erecting or constructing anew, including any new or
 49 modern instrumentalities, parts, or equipment that were allowed under the
 50 local development rules in place at the time the sign was erected.

1 (b) Notwithstanding any local development regulation to the contrary, a lawfully erected
2 on-premises advertising sign may be relocated or reconstructed within the same parcel so long
3 as the square footage of the total advertising surface area is not increased, and the sign complies
4 with the local development rules in place at the time the sign was erected. The construction work
5 related to the relocation of the lawfully erected on-premises advertising sign shall commence
6 within two years after the date of removal. The local government shall have the burden to prove
7 that the on-premises advertising sign was not lawfully erected.

8 (c) A local government may require the removal of a lawfully erected on-premises
9 advertising sign under a local development regulation only if the local government pays the
10 owner of the sign monetary compensation for the removal. Upon payment of monetary
11 compensation, the local government shall own the sign and remove it in a timely manner.

12 (d) Nothing in this section shall be construed to diminish the rights given to owners or
13 operators of nonconforming uses, including nonconforming structures, as set forth in
14 G.S. 160D-108 or the rights of owners or operators of outdoor advertising signs in Article 11 of
15 Chapter 136."

16 **SECTION 23.1.(b)** This section is intended to clarify existing law and is effective
17 when it becomes law and applies to on-premises advertising signs removed on or after October
18 1, 2021. For any on-premises advertising sign removed on or after October 1, 2021, but prior to
19 the date this section becomes effective, construction work on relocation in accordance with
20 G.S. 160D-912.1(b), as enacted by this section, shall commence within two years of the date this
21 section becomes effective.

22 23 **ALLOW A SELLER OF A MANUFACTURED SIGN TO REPOSSESS THE SIGN IF** 24 **THE BUYER FAILS TO PAY**

25 **SECTION 23.5.(a)** Article 2 of Chapter 25 of the General Statutes is amended by
26 adding a new section to read:

27 **"§ 25-2-703.1. Repossession of manufactured sign.**

28 If a buyer of a manufactured sign fails to make a payment in violation of a contract with the
29 seller of the sign, the seller may repossess the sign so long as the seller does not breach the peace.
30 The seller may also exercise any other lawful remedy. This section applies even if the sign is
31 affixed to real property."

32 **SECTION 23.5.(b)** This section becomes effective October 1, 2024.

33 34 **REQUIRE TRANSPARENCY IN THE SALE OR RESALE OF TICKETS TO AN** 35 **ENTERTAINMENT EVENT**

36 **SECTION 24.(a)** Article 1 of Chapter 75 of the General Statutes is amended by
37 adding a new section to read:

38 **"§ 75-44. Ticket price transparency.**

39 (a) As used in this section the following definitions apply:

40 (1) Entertainment event. – A sporting game or contest, concert, or other
41 entertainment performance with a live presentation element in this State for
42 which attendance is available to the public through the purchase of ticket.

43 (2) Mandatory fee. – Any fee or surcharge that a consumer must pay in order to
44 purchase a ticket to an entertainment event.

45 (3) Resale. – The second or subsequent sale of a ticket through a website or other
46 electronic means.

47 (4) Reseller. – A person engaged in the resale of tickets.

48 (5) Secondary ticket exchange. – An electronic marketplace that enables persons
49 to sell, purchase, and resell tickets.

50 (6) Ticket issuer. – The person that is the first seller of tickets for an entertainment
51 event, including a musician or musical group, an operator of a venue, sponsor

1 or a promoter of an entertainment event, a sports team participating in an
2 entertainment event, a sports league whose teams are participating in an
3 entertainment event, a theater company, a marketplace or service operated for
4 consumers to make an initial purchase of tickets, or an agent of any of the
5 persons listed in this subdivision.

6 (7) Ticketing session. – The period of time beginning when the price of a ticket
7 to an entertainment event is first displayed to a person through a website or
8 application and ending when the person has not purchased the ticket within
9 the time period prescribed by the secondary ticket exchange, ticket issuer, or
10 reseller.

11 (b) A secondary ticket exchange, ticket issuer, or reseller shall meet the following
12 requirements when listing a ticket for sale or resale:

13 (1) At any time the price of the ticket is displayed to the purchaser, the listing
14 shall clearly and conspicuously disclose the total price of the ticket, including
15 all mandatory fees and the maximum order processing fee, if any.

16 (2) The total price of the ticket initially displayed at the beginning of a ticketing
17 session shall not be increased during that ticketing session, except by the
18 addition of the charges permitted under subdivision (4) of this subsection.

19 (3) The listing shall clearly and conspicuously disclose to the consumer the
20 existence and actual dollar amount of each mandatory fee, if any, prior to the
21 completion of the transaction. The descriptor used to identify each mandatory
22 fee shall not be deceptive or misleading.

23 (4) The following charges are not mandatory fees and may be added to the ticket
24 price and shall be disclosed to the purchaser prior to purchase of the ticket:

25 a. Actual charges required to deliver a non-electronic ticket to the
26 address specified by the purchaser by the delivery method designated
27 by the purchaser.

28 b. Taxes or fees imposed on the transaction by any government.

29 c. A reasonable fee for processing the order.

30 (c) A violation of this section is an unfair trade practice under G.S. 75-1.1 and is subject
31 to all of the investigative, enforcement, and penalty provisions of an unfair trade practice under
32 this Article."

33 **SECTION 24.(b)** This section becomes effective January 1, 2025, and applies to
34 tickets listed for sale or resale on or after that date.

35
36 **TECHNICAL CORRECTION TO SESSION LAW 2023-112 CONCERNING THE**
37 **WINSTON-SALEM CIVIL REVIEW BOARD**

38 **SECTION 25.** Section 111.1(l) of the Charter of Winston-Salem, being Chapter 232
39 of the Private Laws of 1927, as enacted by Chapter 112 of the 2023 Session Laws, reads as
40 rewritten:

41 "(l) Any member of the classified service who desires a hearing shall file a request for
42 hearing with the city clerk within ~~1,030 days~~ 10 days after learning of the action or omission of
43 which the member complains, but not before the member has exhausted all remedies provided
44 by the grievance procedures established by ordinance or policy of the city. The grievance
45 procedure shall be concluded within 30 days. If the grievance procedure is not concluded within
46 30 days, the member may proceed as provided in this subsection. Upon receipt of the request for
47 hearing, the city clerk shall set the matter for hearing before the Board at a date not less than five
48 nor more than 15 days from the clerk's receipt of the request. Except for the time for filing the
49 initial request for hearing with the Board, the Board may extend the time for taking action for
50 cause or by agreement of the parties to the proceeding. Any member of the classified service of
51 the city who requests a hearing as authorized by this section shall be entitled to be represented at

1 the hearing by his or her attorney. For purposes of the hearings, the Board is authorized to issue
2 subpoenas for the attendance of witnesses or the production of documents."
3

4 **TECHNICAL CORRECTION TO RESTORE DELETED LANGUAGE CONCERNING**
5 **FORCED CONNECTION OF COUNTY SEWER, ORIGINALLY ENACTED IN S.L.**
6 **2023-90 AND S.L. 2023-108**

7 **SECTION 26.** G.S. 153A-284 reads as rewritten:

8 "**§ 153A-284. Power to require connections.**

9 (a) A county may require the owner of developed property on which there are situated
10 one or more residential dwelling units or commercial establishments located so as to be served
11 by a water line or sewer collection line owned, leased as lessee, or operated by the county or on
12 behalf of the county to connect the owner's premises with the water or sewer line and may fix
13 charges for these connections. A county may only require connection of an owner's premises to
14 a sewer line, however, if the county has adequate capacity to transport and treat the proposed
15 new wastewater from the premises at the time of connection.

16"
17

18 **COAL COMBUSTION RESIDUAL REPORT REVISION**

19 **SECTION 27.** G.S. 130A-309.204(a) reads as rewritten:

20 "(a) The Department shall submit ~~quarterly written reports~~ an annual report no later than
21 October 1 to the Environmental Review Commission on its operations, activities, programs, and
22 progress with respect to its obligations under this Part concerning all coal combustion residuals
23 surface impoundments. This report may be combined with the report to members of the General
24 Assembly required by subsection (b) of this section. At a minimum, the report shall include
25 information concerning the status of assessment, corrective action, prioritization, and closure for
26 each coal combustion residuals surface impoundment and information on costs connected
27 therewith. The report shall include an executive summary of each annual Groundwater Protection
28 and Restoration Report submitted to the Department by the operator of any coal combustion
29 residuals surface impoundments pursuant to G.S. 130A-309.211(d) and a summary of all
30 groundwater sampling, protection, and restoration activities related to the impoundment for the
31 preceding year. The report shall also include an executive summary of each annual Surface Water
32 Protection and Restoration Report submitted to the Department by the operator of any coal
33 combustion residuals surface impoundments pursuant to G.S. 130A-309.212(e) and a summary
34 of all surface water sampling, protection, and restoration activities related to the impoundment
35 for the preceding year, including the status of the identification, assessment, and correction of
36 unpermitted discharges from coal combustion residuals surface impoundments to the surface
37 waters of the State. The Department shall supplement the written reports required by this
38 subsection with additional written and oral reports as may be requested by the Environmental
39 Review Commission. The Department shall submit the written reports required by this subsection
40 whether or not the General Assembly is in session at the time the report is due."
41

42 **REQUIRE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO REPORT**
43 **QUARTERLY ON APPLICATIONS FOR PERMITS REQUIRED FOR NATURAL GAS**
44 **PIPELINES AND GAS-FIRED ELECTRIC GENERATION FACILITIES**

45 **SECTION 28.(a)** Part 1 of Article 7 of Chapter 143B of the General Statutes is
46 amended by adding a new section to read:

47 "**§ 143B-279.20. Report on Department activity to process applications for permits**
48 **required for natural gas pipelines and gas-fired electric generation facilities.**

49 The Department of Environmental Quality shall report on any applications received for
50 permits required for siting or operation of natural gas pipelines and gas-fired electric generation
51 facilities within the State, and activities of the Department to process such applications, including

1 tracking of processing times. The processing time tracked shall include (i) the total processing
2 time from when an initial permit application is received to issuance or denial of the permit and
3 (ii) the processing time from when a complete permit application is received to issuance or denial
4 of the permit. The Department shall report quarterly to the Joint Legislative Commission on
5 Energy Policy pursuant to this section."

6 **SECTION 28.(b)** This section is effective when it becomes law and applies to
7 applications for permits for natural gas pipelines and gas-fired electric generation facilities
8 pending on or received on or after that date. The Department shall submit the initial report due
9 pursuant to G.S. 143B-279.20, as enacted by this section, no later than October 1, 2024.

10 11 **COMBINE STORMWATER GRANT REPORT WITH WATER INFRASTRUCTURE** 12 **REPORTS**

13 **SECTION 29.** Section 12.14(j) of S.L. 2021-180 reads as rewritten:

14 **"SECTION 12.14.(j)** Report. – The Department shall submit a report no later than
15 September 1, 2022, and annually thereafter no later than November 1 to the chairs of the Joint
16 Legislative Oversight Committee on Agriculture and Natural and Economic Resources
17 Resources, the Environmental Review Commission, and the Fiscal Research Division on the
18 projects and activities funded by this section until all funds have been expended by grant
19 recipients. The reports required by this section shall be submitted with the reports required by
20 G.S. 159G-26 and G.S. 159G-72 as a single report. The Department shall include in its initial
21 report and may include in subsequent reports recommendations regarding legislative changes or
22 additional funding needed to assist small and financially distressed communities to comply with
23 stormwater standards and requirements and to mitigate the adverse impacts of extreme weather
24 events on stormwater-related flood events. The reports shall also include, at a minimum, the
25 following:

- 26 (1) The beginning and ending balance of the Fund for the fiscal year.
- 27 (2) A listing of grant recipients, amount provided to each recipient, and the grant
28 type funded.
- 29 (3) An overview of the use of funds by grant recipients, including a description
30 of projects constructed or planning milestones achieved."

31 32 **REQUIRE ANNUAL RIVER BASIN ADVISORY COMMISSION REPORT ONLY IN** 33 **YEARS WHEN THE COMMISSION MEETS**

34 **SECTION 30.(a)** G.S. 77-98 reads as rewritten:

35 **"§ 77-98. Annual report.**

36 The Commission shall submit an annual report, including the annual audit required by
37 G.S. 77-96 and any recommendations, on or before 1 October of each year in which the
38 Commission meets to the Joint Legislative Oversight Committee on Agriculture and Natural and
39 Economic Resources, the Fiscal Research Division of the General Assembly of North Carolina,
40 and as provided by the Commonwealth of Virginia."

41 **SECTION 30.(b)** G.S. 77-117 reads as rewritten:

42 **"§ 77-117. Annual report.**

43 The commissions shall submit annual reports, including the annual audit required by
44 G.S. 77-115 and any recommendations, on or before October 1 of each year in which the
45 commissions meet to Joint Legislative Oversight Committee on Agriculture and Natural and
46 Economic Resources, the Fiscal Research Division of the General Assembly of North Carolina,
47 and as provided by the State of South Carolina."

48 49 **ELIMINATE ANNUAL REPORT ON STATE EMPLOYEES WHO HAVE BEEN** 50 **WORK FIRST RECIPIENTS**

51 **SECTION 31.** G.S. 108A-27.10(b) is repealed.

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ELIMINATE CONNECT NC BOND REPORT

SECTION 32. Section 2 of S.L. 2015-280 is repealed.

PART V. SEVERABILITY CLAUSE AND EFFECTIVE DATE

SECTION 33.(a) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application and, to this end, the provisions of this act are declared to be severable.

SECTION 33.(b) Except as otherwise provided, this act is effective when it becomes law.