

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE DRS35087-SB-17A (02/13)

Short Title: Limit Regulation of Greenhouse Gas Emissions. (Public)

Sponsors: Senators Jackson, Brock, and J. Davis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT STATE AGENCIES AND LOCAL GOVERNMENTS FROM  
3 ADOPTING, IMPLEMENTING, OR ENFORCING A RULE OR ORDINANCE THAT  
4 REGULATES GREENHOUSE GAS EMISSIONS OR LIMITS HUMAN ACTIVITY  
5 FOR THE PURPOSE OF REDUCING GREENHOUSE GAS EMISSIONS IF THE RULE  
6 OR ORDINANCE IS NOT REQUIRED BY A FEDERAL REGULATION OR LAW OR  
7 IS MORE STRINGENT THAN A CORRESPONDING FEDERAL REGULATION OR  
8 LAW.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. G.S. 143-215.107 reads as rewritten:

11 "§ 143-215.107. Air quality standards and ~~classifications~~classifications; limit on

12 regulation of greenhouse gases.

13 ...

14 (h) Notwithstanding any other provision of law, no agency, as defined in G.S. 150B-2,  
15 may adopt, implement, or enforce a rule that regulates greenhouse gas emissions or that limits  
16 human activity for the purpose of reducing greenhouse gas emissions if the rule is not required  
17 by a federal regulation or law or is more stringent than a corresponding federal regulation or  
18 law. Notwithstanding any other provision of law, no unit of local government may adopt,  
19 implement, or enforce a rule or ordinance that regulates greenhouse gas emissions or that limits  
20 human activity for the purpose of reducing greenhouse gas emissions if the rule or ordinance is  
21 not required by a federal regulation or law or is more stringent than a corresponding federal  
22 regulation or law. As used in this subsection, "greenhouse gas" means carbon dioxide, methane,  
23 nitrous oxide, and fluorinated gases, including chlorofluorocarbons, perfluorocarbons, and  
24 sulfur hexafluoride. As used in this subsection, "human activity" means energy generation by a  
25 public utility, as defined in G.S. 62-3, industrial processes, transportation, agricultural  
26 production, waste treatment and disposal, fossil fuel extraction activities, and any other  
27 residential, commercial, or other activities involving the burning of fossil fuels."

28 SECTION 2. This act is effective when it becomes law.



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