

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 149
Committee Substitute Favorable 3/7/23
Senate Education/Higher Education Committee Substitute Adopted 4/4/23
Proposed Conference Committee Substitute H149-PCCS40642-MC-7

Short Title: Disaster Recovery Act of 2024.

(Public)

Sponsors:

Referred to:

February 21, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2024.
3 The General Assembly of North Carolina enacts:

4
5 **PART I. TITLE OF ACT**

6 **SECTION 1.1.** This act shall be known as "The Disaster Recovery Act of 2024."
7

8 **PART II. LEGISLATIVE FINDINGS**

9 **SECTION 2.1.(a)** The General Assembly finds that Hurricane Helene was an
10 extremely strong Category 4 hurricane with maximum sustained winds of 140 miles per hour that
11 made landfall on September 26, 2024, along Florida's Gulf Coast and severely impacted the entire
12 Southeastern United States. Hurricane Helene caused widespread heavy rainfall in excess of 30
13 inches in some areas, record flooding, and significant loss of human life and property in North
14 Carolina. In addition, the General Assembly finds that, on or about September 16, 2024, Potential
15 Tropical Cyclone #8 (PTC8) was a strong weather event that severely impacted Brunswick and
16 New Hanover Counties and caused excessive rainfall in those counties.

17 **SECTION 2.1.(b)** The General Assembly finds that, as a result of Hurricane Helene,
18 the following has occurred:

- 19 (1) Western North Carolina endured record-breaking rainfall that created several
20 1,000-year flood events in several counties, devastating the people,
21 infrastructure, businesses, and schools of entire communities.
22 (2) On September 28, 2024, 25 counties in North Carolina were declared a major
23 disaster by the President of the United States under the Stafford Act (P.L.
24 93-288), approving individual and public assistance for affected counties.
25 (3) North Carolinians have lost their lives, loved ones, homes, communities,
26 houses of worship, businesses, jobs, and way of life.
27 (4) Countless homes, buildings, and properties have been destroyed.
28 (5) Entire communities have lost power, water, sewer, communication, and other
29 essential services due to the devastation.
30 (6) Over 400 roads and bridges were damaged and closed for traffic, including
31 Interstate 40.
32 (7) Landslides and flooding have cut off entire communities from outside help
33 and communication.



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- 1 (8) Tornadoes were generated across the State as Hurricane Helene passed,
2 causing significant damage in areas outside of the storm's immediate path.
3

4 **PART III. EXTENSION OF STATE OF EMERGENCY**

5 **SECTION 3.1.** In accordance with G.S. 166A-19.20(c)(2), the statewide declaration
6 of emergency issued by the Governor in Executive Order No. 315, concurred to by the Council
7 of State, is extended until March 1, 2025.
8

9 **PART IV. CREATION OF HURRICANE HELENE FUND**

10 **SECTION 4.1.(a)** Hurricane Helene Disaster Recovery Fund. – The Hurricane
11 Helene Disaster Recovery Fund (Helene Fund) is established. The purpose of the Helene Fund
12 is to provide necessary and appropriate relief and assistance from the effects of Hurricane Helene,
13 consistent with the provisions of this act, and subsequent legislation addressing the effects of
14 Hurricane Helene. The Helene Fund shall be maintained as a special fund and administered by
15 the Office of State Budget and Management to carry out the provisions of this and subsequent
16 acts necessitated as a result of Hurricane Helene. All State funds, excluding funds received
17 pursuant to Section 6.2 of this act, appropriated for Hurricane Helene relief and recovery efforts
18 shall be budgeted and accounted for in the Helene Fund established in this section. Federal funds
19 received by State agencies for Hurricane Helene relief and recovery efforts shall be budgeted and
20 accounted for separately within each State agency that receives such funds.

21 **SECTION 4.1.(b)** Applicability of Funds. – Except as otherwise provided, the funds
22 contained in the Helene Fund shall only be expended to support disaster relief and recovery
23 efforts in the following counties:

- 24 (1) Any county declared a major disaster by the President of the United States
25 under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene.
26 (2) Nash County.

27 **SECTION 4.1.(c)** Use of Funds. – Funds shall be drawn from the Helene Fund only
28 as needed upon justification by a State agency as evidence of the need for funds related to
29 Hurricane Helene. Funds in the Helene Fund that are not expended, made subject to an
30 encumbrance, or disbursed shall remain available to implement the provisions of this act and
31 subsequent acts necessitated as a result of Hurricane Helene until the General Assembly directs
32 the reversion of the unexpended funds. Funds received by a State agency from the Helene Fund
33 that are not expended, made subject to an encumbrance, or disbursed to another entity at the end
34 of each fiscal year shall revert to the Helene Fund. Funds received by a non-State entity, as
35 defined in G.S. 143C-1-1, from the Helene Fund that are not expended, made subject to an
36 encumbrance, or disbursed to a subgrantee shall be returned to the Helene Fund no later than
37 June 30, 2030.
38

39 **PART V. CREATION OF POTENTIAL TROPICAL CYCLONE #8 FUND**

40 **SECTION 5.1.(a)** Potential Tropical Cyclone #8 Disaster Recovery Fund. – The
41 Potential Tropical Cyclone #8 Disaster Recovery Fund (PTC8 Fund) is established. The purpose
42 of the PTC8 Fund is to provide necessary and appropriate relief and assistance from the effects
43 of PTC8, consistent with the provisions of this act, and subsequent legislation addressing the
44 effects of PTC8. The PTC8 Fund shall be maintained as a special fund and administered by the
45 Office of State Budget and Management to carry out the provisions of this and subsequent acts
46 necessitated as a result of PTC8. All State and federal funds appropriated for PTC8 relief and
47 recovery efforts shall be budgeted and accounted for in the PTC8 Fund established in this section.

48 **SECTION 5.1.(b)** Applicability of Funds. – The funds contained in the PTC8 Fund
49 shall only be expended to support disaster relief and recovery efforts in Brunswick and New
50 Hanover Counties.

1 **SECTION 5.1.(c)** Use of Funds. – Funds shall be drawn from the PTC8 Fund only
2 as needed upon justification by a State agency as evidence of the need for funds related to PTC8.
3 Funds in the PTC8 Fund that are not expended, made subject to an encumbrance, or disbursed
4 shall remain available to implement the provisions of this act and subsequent acts necessitated as
5 a result of PTC8 until the General Assembly directs the reversion of the unexpended funds. Funds
6 received by a State agency from the PTC8 Fund that are not expended, made subject to an
7 encumbrance, or disbursed to another entity at the end of each fiscal year shall revert to the PTC8
8 Fund. Funds received by a non-State entity, as defined in G.S. 143C-1-1, from the PTC8 Fund
9 that are not expended, made subject to an encumbrance, or disbursed to a subgrantee shall be
10 returned to the PTC8 Fund no later than June 30, 2030.

11
12 **PART VI. FUNDING OF DISASTER RELIEF**

13 **SECTION 6.1.(a)** Transfer and Appropriation for Helene Fund. – Notwithstanding
14 G.S. 143C-4-2, the State Controller shall transfer the sum of two hundred seventy-three million
15 dollars (\$273,000,000) for the 2024-2025 fiscal year from the Savings Reserve established in
16 G.S. 143C-4-2 to the Helene Fund. The following amounts are appropriated within the Helene
17 Fund for the duration of the recovery efforts for the following:

- 18 (1) Two hundred fifty million dollars (\$250,000,000) to the Department of Public
19 Safety, Division of Emergency Management, to provide the State match for
20 federal disaster assistance programs for State agencies and units of local
21 governments. The Division, in coordination with the Office of State Budget
22 and Management, shall also use a portion of these funds to establish a
23 revolving loan program to assist units of local government and State agencies
24 with cash flow management while awaiting federal reimbursement. Funds
25 returned to the Division through the revolving loan fund shall be used for
26 additional cash flow loans or to provide matching funds as needed.
- 27 (2) Sixteen million dollars (\$16,000,000) to the Department of Public Instruction
28 to supplement or replace lost compensation of school nutrition employees due
29 to school closures resulting from Hurricane Helene, in accordance with
30 Section 8.1(c) of this act.
- 31 (3) Two million dollars (\$2,000,000) for the Office of State Budget and
32 Management to provide grants to the North Carolina League of
33 Municipalities, the North Carolina Association of County Commissioners,
34 and the North Carolina Association of Regional Councils of Governments to
35 provide technical assistance with local recovery funds. In providing this
36 assistance, these entities shall prioritize grants to counties with a population
37 of less than 250,000.
- 38 (4) Five million dollars (\$5,000,000) to the State Board of Elections for the
39 purposes set forth in Section 9.1(c) of this act.

40 **SECTION 6.1.(b)** Funding for PTC8 Fund. – It is the intent of the General Assembly
41 to appropriate funds to the PTC8 Fund, established in this act, after appropriate damage
42 assessments are completed in the disaster area.

43 **SECTION 6.1.(c)** It is the intent of the General Assembly to appropriate funds to
44 support disaster relief and recovery efforts in Nash County after appropriate damage assessments
45 are completed.

46 **SECTION 6.2.** Appropriation of Federal Funds. – Funds received on or after
47 September 1, 2024, under the Stafford Act (P.L. 93-288) and other federal disaster assistance
48 programs for State disasters as a result of Hurricane Helene or PTC8, are appropriated in the
49 amounts provided in the notifications of award from the federal government or any entity acting
50 on behalf of the federal government to administer federal disaster recovery funds. The Office of
51 State Budget and Management and affected State agencies shall report all notifications of award

1 to the Joint Legislative Commission on Governmental Operations and the Fiscal Research
2 Division of the General Assembly.

3
4 **PART VII. REVERSION, LIMITATION, AND REPORTING OF FUNDS**

5 **SECTION 7.1.(a)** Reversion. – Funds appropriated under Part VI of this act shall
6 revert to the Savings Reserve established in G.S. 143C-4-2 if not expended or encumbered by
7 June 30, 2030.

8 **SECTION 7.1.(b)** Receipt of Allocations. – A recipient of State funds under this act
9 shall use best efforts and take all reasonable steps to obtain alternative funds that cover the losses
10 or needs for which the State funds are provided, including funds from insurance policies in effect
11 and available federal aid. State funds paid under this act are declared to be excess over funds
12 received by a recipient from the settlement of a claim for loss or damage covered under the
13 recipient's applicable insurance policy in effect.

14 **SECTION 7.1.(c)** Remittance of Funds. – If a recipient obtains alternative funds
15 pursuant to subsection (b) of this section, the recipient shall remit the funds to the State agency
16 from which the State funds were received. A recipient is not required to remit any amount in
17 excess of the State funds provided to the recipient under this act. The State agency shall transfer
18 these funds to the Savings Reserve established in G.S. 143C-4-2. Funds deposited into the Helene
19 or PTC8 Fund, as appropriate, under this subsection are receipts that do not constitute an
20 "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North
21 Carolina Constitution.

22 **SECTION 7.1.(d)** Contract Requirements. – Any contract or other instrument
23 entered into by a recipient for receipt of funds under this act shall include the requirements set
24 forth in subsections (b) and (c) of this section.

25 **SECTION 7.1.(e)** Recipient Defined. – For purposes of this section, the term
26 "recipient" means a local political subdivision of the State, a State agency, a State department, or
27 a non-State entity.

28 **SECTION 7.1.(f)** Limitation on Powers of Governor. – The Governor may not use
29 the funds described in this act to make budget adjustments under G.S. 143C-6-4 or to make
30 reallocations under G.S. 166A-19.40(c). Nothing in this act shall be construed to prohibit the
31 Governor from exercising the Governor's authority under these statutes with respect to funds
32 other than those described in this act.

33 **SECTION 7.1.(g)** Directive. – The Governor shall also ensure that funds allocated
34 in this act are expended in a manner that does not adversely affect any person's or entity's
35 eligibility for federal funds that are made available, or that are anticipated to be made available,
36 as a result of natural disasters. The Governor shall also, to the extent practicable, avoid using
37 State funds to cover costs that will be, or likely will be, covered by federal funds.

38 **SECTION 7.1.(h)** Allocation Reporting Requirements. – The Office of State Budget
39 and Management shall report to the chairs of the House of Representatives and Senate
40 Appropriations Committees and to the Fiscal Research Division of the General Assembly on the
41 implementation of this act on a quarterly basis until the end of the quarter in which all funds are
42 expended and shall also provide any additional reports or information requested by the Fiscal
43 Research Division. Each report required by this section shall include information about all funds
44 expended or encumbered pursuant to this act as of the date of the report, regardless of which
45 State agency, federal agency, or non-State entity administers the funds. Non-State entities that
46 administer or receive any funds appropriated in this act shall assist and fully cooperate with the
47 Office of State Budget and Management in meeting the Office's obligations under this section.

48
49 **PART VIII. EDUCATION**

1 **INSTRUCTIONAL HOURS FLEXIBILITY AND COMPENSATION FOR PUBLIC**
2 **SCHOOL EMPLOYEES**

3 **SECTION 8.1.(a)** School Calendar Flexibility. – Notwithstanding
4 G.S. 115C-84.2(a)(1), 115C-150.12C(3), 115C-218.85(a)(1), 115C-238.53(d),
5 115C-238.66(1)d., 116-239.8(b)(2)c., Section 6(e) of S.L. 2018-32, and any other provision of
6 State law to the contrary, if the governing body of a public school unit closed any school under
7 its control due to unusual and extraordinary inclement weather conditions related to Hurricane
8 Helene or PTC8, calendar flexibility for missed instructional time during the months of
9 September 2024 and October 2024 shall be provided as follows:

- 10 (1) If the school is located in a public school unit that is located in a county
11 designated before, on, or after the effective date of this act under a major
12 disaster declaration by the President of the United States under the Stafford
13 Act (P.L. 93-288) as a result of Hurricane Helene, in the discretion of its
14 governing body, the public school unit may (i) make up any number of the
15 instructional days or equivalent hours missed, (ii) deem as completed any
16 number of the instructional days or equivalent hours missed up to a total of 20
17 days, or (iii) implement a combination of both of the above.
- 18 (2) For any public school unit not identified in subdivision (1) of this subsection,
19 the governing body of the public school unit may (i) make up any number of
20 the instructional days or equivalent hours missed, (ii) deem as completed any
21 number of the instructional days or equivalent hours missed up to a total of
22 two days, or (iii) implement a combination of both of the above.

23 **SECTION 8.1.(b)** Additional Remote Instruction. – Notwithstanding
24 G.S. 115C-84.3(b) and any other provision of State law to the contrary, the following remote
25 instruction limits apply for the 2024-2025 school year:

- 26 (1) Public school units located in a county designated before, on, or after the
27 effective date of this act under a major disaster declaration by the President of
28 the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane
29 Helene may use additional remote instruction days or equivalent remote
30 instruction hours toward the required instructional days or hours for the school
31 year, up to a total of 30 remote instruction days or 180 remote instruction
32 hours for the public school unit for the school year.
- 33 (2) Public school units located in a county identified in Section 5.1(b) of this act
34 as affected by PTC8 may use additional remote instruction days or equivalent
35 remote instruction hours toward the required instructional days or hours for
36 the school year, up to a total of 10 remote instruction days or 60 remote
37 instruction hours for the public school unit for the school year.

38 **SECTION 8.1.(c)** Employee Compensation. – Except in the case of a charter school,
39 all employees and contractors of a public school unit shall be deemed to have worked for any
40 scheduled instructional days missed due to Hurricane Helene during the months of September
41 2024 and October 2024 that a public school unit has deemed completed and is not required to
42 make up. Employees and contractors shall be compensated in the same manner they would have
43 if they had worked on the scheduled instructional days missed. The board of directors of a charter
44 school may, but is not required to, provide such compensation for its employees and contractors.

45 Of the funds allocated to the Department of Public Instruction from the Helene Fund,
46 the sum of up to sixteen million dollars (\$16,000,000) in nonrecurring funds for the 2024-2025
47 fiscal year shall be used to provide compensation authorized by this section to public school unit
48 employees and contractors of schools participating in the National School Lunch Program or
49 School Breakfast Program for scheduled instructional days when compensation would have been
50 provided by school meal receipts or by federal funds. Employees and contractors compensated

1 using funds described in this section shall be compensated in the same manner they would have
2 had they worked on the scheduled instructional days missed.

3 If the funds described by this section are insufficient to provide compensation
4 authorized by this section to public school unit employees and contractors in schools participating
5 in the National School Lunch Program or School Breakfast Program for scheduled instructional
6 days when compensation would have been provided by school meal receipts or by federal funds,
7 the Department of Public Instruction shall develop a uniform criteria to determine the
8 comparative economic need of public school units to which this section applies and shall ensure
9 that priority is given to public school units with greatest economic need when awarding available
10 funds.

11 **SECTION 8.1.(d) Reporting Requirement.** – The Department of Public Instruction
12 shall report to the Joint Legislative Education Oversight Committee and the Fiscal Research
13 Division on the implementation of this section by public school units by March 15, 2025, and
14 shall also provide any additional reports or information requested by the Fiscal Research
15 Division. The report required by this section shall include information on the following:

- 16 (1) Any days missed due to Hurricane Helene or PTC8 before, on, or after the
17 effective date of this section.
- 18 (2) Of the days missed, any scheduled makeup days due to Hurricane Helene or
19 PTC8 before, on, or after the effective date of this section, and the dates of
20 those makeup days.
- 21 (3) Of the days missed, any days and hours deemed completed by the public
22 school unit as a result of this section.
- 23 (4) Any compensation provided to employees and contractors pursuant to
24 subsection (c) of this section.

25 For each component of the report, separate information shall be included on any
26 individual schools within the public school unit whose information differs from the rest of the
27 unit as a whole. Public school units shall provide information on implementation of this section
28 in the form requested by the Department of Public Instruction no later than February 15, 2025.
29

30 **EXTEND PAYMENT DEADLINE FOR PRINCIPAL BONUSES**

31 **SECTION 8.2.(a)** Notwithstanding Section 1.3(e) of S.L. 2024-39, the bonuses
32 provided to qualifying principals pursuant to Section 1.3 of S.L. 2024-39 shall be paid no later
33 than November 30, 2024, to qualifying principals employed as of October 1, 2024.

34 **SECTION 8.2.(b)** This section applies only to qualifying principals employed in a
35 public school unit that is located in a county (i) declared a major disaster by the President of the
36 United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene or (ii) listed
37 in Section 5.1(b) of this act.
38

39 **COMPLETION OF THE EPP CLINICAL INTERNSHIP REQUIREMENT FOR 40 CERTAIN STUDENTS IMPACTED BY HURRICANE HELENE OR PTC8**

41 **SECTION 8.3.(a)** Notwithstanding G.S. 115C-269.25(d)(1), a student who is
42 enrolled in an educator preparation program (EPP) that is assigned the status of initially
43 authorized or authorized by the State Board of Education pursuant to G.S. 115C-269.5 may have
44 the clinical internship requirement set forth in G.S. 115C-269.25(d)(1) deemed completed if the
45 student meets all of the following conditions:

- 46 (1) The student meets at least one of the following:
 - 47 a. Is enrolled in an EPP that is located in a county (i) declared a major
48 disaster by the President of the United States under the Stafford Act
49 (P.L. 93-288) as a result of Hurricane Helene or (ii) listed in Section
50 5.1(b) of this act.

1 b. Has been placed with an elementary or secondary partner school, as
2 defined in G.S. 115C-269.1(14), that is located in a county (i) declared
3 a major disaster by the President of the United States under the
4 Stafford Act (P.L. 93-288) as a result of Hurricane Helene or (ii) listed
5 in Section 5.1(b) of this act.

6 (2) The student has completed as much time in a clinical internship as practicable
7 during the 2024 fall academic semester.

8 (3) The student cannot graduate in December 2024 from the EPP without the
9 clinical internship requirement being deemed completed pursuant to this
10 section.

11 **SECTION 8.3.(b)** By February 1, 2025, any EPP with an enrolled student who has
12 his or her clinical internship requirement deemed completed pursuant to subsection (a) of this
13 section shall report to the State Board of Education with the following information:

14 (1) Number of students who had the clinical internship requirement deemed
15 completed.

16 (2) Reasons for a clinical internship requirement being deemed completed.

17 (3) Amount of time completed for a clinical internship.

18 (4) Any other information required by the State Board of Education.

19 By March 15, 2025, the State Board of Education shall report to the Joint Legislative
20 Education Oversight Committee on the information reported to the State Board of Education by
21 EPPs under this section.

22 23 **PART IX. ELECTION MODIFICATIONS**

24 **SECTION 9.1.(a)** In response to the disaster caused by Hurricane Helene and its
25 aftermath, the following shall apply for the November 2024 election only in the counties listed
26 in subsection (b) of this section:

27 (1) Notwithstanding G.S. 163-41, any registered voter of the State who is
28 otherwise eligible may be appointed to serve as chief judge and judges for
29 each precinct in the county, regardless of precinct or county of residence.
30 Notwithstanding G.S. 163-42 and G.S. 163-42.1, any registered voter of the
31 State who is otherwise eligible may be appointed to serve as assistant or
32 student election assistant at each precinct in the county, regardless of county
33 of residence. Notwithstanding G.S. 163-43, any registered voter of the State
34 who is otherwise eligible may serve as a ballot counter at each precinct in the
35 county, regardless of county of residence. Notwithstanding G.S. 163-166.35,
36 any registered voter of the State who is otherwise eligible may be appointed
37 to staff an early voting site, regardless of precinct or county of residence. An
38 election official's failure to return contact or confirm availability to serve with
39 the county board of elections office constitutes a vacancy for "any other cause"
40 under G.S. 163-41(d). Notwithstanding any other provision of law, the
41 following shall apply to this subdivision:

42 a. The oath of office for a chief judge, judge, assistant, or student election
43 assistant may be administered by electronic or telephonic means.

44 b. The county board of elections may reassign election officials as
45 needed to ensure there is sufficient knowledge and experience at each
46 voting site.

47 c. Any action required by a county board of elections to appoint,
48 designate, or reassign election officials shall be made by bipartisan
49 majority vote of the county board of elections making the appointment.

- 1 (2) Any employee of the State serving as a chief judge or judge, assistant or
2 student election assistant, or ballot counter may do so without taking any leave
3 time granted under Chapter 126 of the General Statutes or any agency policy.
- 4 (3) Notwithstanding G.S. 163-82.24 or any other training requirement for election
5 officials, the State Board of Elections may develop and implement training
6 programs for county board of elections members, county directors, full-time
7 employees of the county boards of elections, chief judges, and all other
8 precinct officials who are appointed to replace, supplement, or otherwise
9 assist in the administration of the November 2024 election.
- 10 (4) A county board of elections, by bipartisan majority vote, may modify its Plan
11 for Implementation for the November 2024 election as it was approved in
12 accordance with Part 5 of Article 14A of Chapter 163 of the General Statutes
13 prior to September 28, 2024. To approve any such modifications, the county
14 board of elections shall make written findings in a resolution that the
15 modifications are required by the effects of the recent disaster and provide a
16 copy of that resolution to the State Board of Elections. In modifying the Plan
17 for Implementation as approved prior to September 28, 2024, the county board
18 of elections shall seek to minimize, to the extent possible, any reduction in the
19 overall number of hours available for voters to participate in early voting in
20 the county. The uniform days and hours requirements of G.S. 163-166.35
21 shall not apply strictly but shall be observed to the greatest extent practicable.
22 Modifications may include any of the following:
- 23 a. Substituting sites.
- 24 b. Removing sites that are unusable. Before removing a site, the county
25 board of elections shall make all feasible attempts to maintain the site
26 or to substitute a site.
- 27 c. Adding days that any site is open within the established early voting
28 period.
- 29 d. Reducing days that any site is open within the established early voting
30 period.
- 31 e. Extending hours that any site is open on any days within the
32 established early voting period.
- 33 f. Reducing hours that any site is open on any days within the established
34 early voting period.
- 35 (5) Election Day polling places may be modified by bipartisan majority vote of
36 the county board of elections. To approve any such modifications, the county
37 board of elections must make written findings in a resolution that the
38 modifications are required by the effects of the recent disaster and provide a
39 copy of that resolution to the State Board of Elections. County boards of
40 elections are encouraged to consider options for Election Day that best for the
41 disaster-related needs of the county. The county board of elections shall strive
42 to maintain voting access as close to existing polling places as possible and
43 should resort to establishing polling places outside of a precinct only as a last
44 resort. Notice of any modification under this subdivision shall be given to the
45 impacted voters by mail and other forms of mass communication, including
46 to any email address or phone number that the county board of elections has
47 for the impacted voter, to the extent practicable as soon as possible after
48 approval of the modification. The county board of elections shall also cause
49 the notice to be immediately delivered to all local media and the chairs of the
50 county political parties and shall cause the notice to be posted on the county

1 board of elections' website as soon as possible. Modifications may include any
2 of the following:

- 3 a. A transfer of voters from a given precinct to another in the county,
4 even if the receiving precinct is not adjacent if no adjacent precinct is
5 available. Notwithstanding G.S. 163-128, the Executive Director of
6 the State Board of Elections may approve the transfer of polling
7 places, including polling places serving two or more combined
8 precincts, provided the county board of elections continues to comply
9 with G.S. 163-132.5G to maintain voting data by precinct regardless
10 of where that voter cast his or her ballot. In accordance with
11 G.S. 163-128, the county board of elections shall maintain separate
12 registration and voting records, consistent with the procedure
13 prescribed by the State Board of Elections, so as to properly identify
14 the precinct in which such voters reside, including separate tabulators
15 for the voters of each of the combined precincts.
- 16 b. The establishment of out-of-precinct polling places. Such a polling
17 place may be located in another North Carolina county adjacent to the
18 precinct, to be staffed and managed by the county board of elections
19 establishing the out-of-precinct polling place. Approval of the
20 Executive Director of the State Board of Elections is required,
21 consistent with G.S. 163-130.1. Any polling place established under
22 this provision may be co-located with another. In accordance with
23 G.S. 163-128, the county board of elections shall maintain separate
24 registration and voting records, consistent with the procedure
25 prescribed by the State Board of Elections, so as to properly identify
26 the precinct in which such voters reside, including separate tabulators
27 for the voters of each of the combined precincts. The county board of
28 elections shall comply with G.S. 163-132.5G to maintain voting data
29 by precinct regardless of where that voter cast his or her ballot.
- 30 c. The establishment of more than one polling place in a precinct. Such
31 a polling place may be located in another North Carolina county
32 adjacent to the precinct, to be staffed and managed by the county board
33 of elections establishing the additional polling place. In accordance
34 with G.S. 163-130.2, approval of the Executive Director of the State
35 Board of Elections is required. Any polling place established under
36 this provision may be co-located with another precinct's polling place,
37 but the materials, tabulators, and voting processes shall be kept
38 separate for each precinct's voters at that polling place.
- 39 d. Allow the central transfer precinct to be used by any county voter on
40 Election Day. If the county board of elections codes its ballots by style,
41 the county board of elections shall write the precinct designation on
42 the voter's ballot, to facilitate the post-election precinct sort. The
43 county board of elections shall comply with G.S. 163-166.7.

- 44 (6) In accordance with G.S. 163-231(b), all absentee ballots issued under Article
45 20 of Chapter 163 of the General Statutes must be returned no later than 7:30
46 P.M. on November 5, 2024. In addition to the methods of returning an
47 absentee ballot authorized by G.S. 163-231(b), maintaining the log required
48 by G.S. 163-166.8(d), and notwithstanding G.S. 163-166.3, voted absentee
49 ballots may be delivered in person, by a voter registered in an impacted county
50 or that voter's near relative or verifiable legal guardian, by physically handing
51 the voted absentee ballot to an elections official at any of the following:

- 1 a. Any county board of elections in this State at any time that county
2 board of elections is open.
- 3 b. Any early voting site under Part 5 of Article 14A of Chapter 163 of
4 the General Statutes in this State at any time that the early voting site
5 is open for voting.
- 6 c. The State Board of Elections at any time that office is open.
- 7 (7) Members, employees, or volunteers of the impacted county board of elections
8 working as part of a multipartisan team trained and authorized by the county
9 board of elections may assist any eligible voter in requesting an absentee
10 ballot, serve as witnesses to absentee ballots, or otherwise assist in the process
11 of absentee voting as provided by Article 20 of Chapter 163 of the General
12 Statutes. Prior to appointing a multipartisan team for this purpose, the county
13 board of elections, by bipartisan majority vote, shall establish guidelines for
14 the operation of multipartisan teams to assist any eligible voting in requesting
15 and casting an absentee ballot.
- 16 (8) The county board of elections shall process an absentee ballot request from a
17 voter or a voter's near relative or verifiable legal guardian in person at the
18 county board of elections office up until 5:00 P.M. on November 4, 2024,
19 similar to the provision in G.S. 163-230.1(b). The voter or the voter's near
20 relative or verifiable legal guardian is required to complete the absentee ballot
21 request form with the required personal information, and that information
22 must be verified as with any absentee ballot request. However, the county
23 board of elections may provide the voter or voter's near relative or verifiable
24 legal guardian with the voter's absentee ballot envelope at the office location.
25 County boards of elections shall maintain a log of any individual, other than
26 a minor child under the age of 18 in the care of a voter, who presents to submit
27 an absentee ballot request on behalf of a voter. The log shall include the
28 printed name and address of the individual at the county board of elections
29 office, the time the individual arrived at the county board of elections office,
30 and a space for that individual's signature. The absentee ballot request shall be
31 deemed incomplete unless the individual's signature is included in the log. The
32 log required by this subdivision shall be confidential and not a public record
33 until the opening of the voting place in accordance with G.S. 163-166.25, at
34 which time the official register shall constitute a public record.
- 35 (9) The county board of elections shall process a spoil-and-reissue, or cure, of an
36 absentee ballot at the county board of elections office. At the request of the
37 voter, a voter's near relative or verifiable legal guardian, or anyone designated
38 by the voter to assist due to the voter's disability, may retrieve any required
39 cure documentation to take to a voter who is required to cure a deficiency with
40 an absentee ballot, if needed. County boards of elections shall maintain a log
41 of any individual, other than a minor child under the age of 18 in the care of a
42 voter, who presents to retrieve cure documentation on behalf of a voter. The
43 log shall include the printed name and address of the individual at the county
44 board of elections office, the time the individual arrived at the county board
45 of elections office, and a space for that individual's signature. The cure process
46 shall be deemed incomplete unless the individual's signature is included in the
47 log. The log required by this subdivision shall be confidential and not a public
48 record until the opening of the voting place in accordance with
49 G.S. 163-166.25, at which time the official register shall constitute a public
50 record.

(10) The county boards of elections shall allow the chair of each political party in the county to designate poll observers, as defined in G.S. 163-45.1(a), who are registered voters of any North Carolina county. All poll observers shall be designated in accordance with G.S. 163-45.1.

SECTION 9.1.(b) This section applies only to the impacted Counties of Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, and Yancey.

SECTION 9.1.(c) The funds appropriated in this act to the State Board of Elections shall be used for the following purposes to facilitate voting in the counties listed in Section 9.1(b) of this act. The State Board of Elections shall make all reasonable efforts to address the expressed needs of each county board of elections in allocating these funds, including providing grants directly to counties or reimbursement to the counties:

- (1) Technology and access to technology, such as attack response kits, SOSA deployments, and internet connectivity.
- (2) Printing and communications, such as re-printing absentee ballots, mailing materials to registered voters, and purchasing emergency communication systems for counties as needed.
- (3) Temporary staff for counties and the State Board of Elections.
- (4) Mobile voting units, training, equipment, leases, and supplies to enable voting, including changes in voting sites.

SECTION 9.1.(d) This section is effective when it becomes law and applies for the November 2024 election only.

SECTION 9.2.(a) In response to the disaster caused by Hurricane Helene and its aftermath, the following shall apply in all counties for the November 2024 election only:

- (1) For voted absentee ballots returned in accordance with subdivision (6) of Section 9.1(a) of this Part, the State Board of Elections shall establish a uniform process by which the properly received voted absentee ballots are transmitted to the appropriate county board of elections prior to canvass. The county board of elections or State Board of Elections that receives such an out-of-county absentee ballot shall immediately date-stamp the absentee ballot envelope and shall ensure that the voted absentee ballots of such voters are delivered to the appropriate county board of elections for the voter's county of registration by the day before county canvass, either by trackable mail, commercial delivery service, or delivery by a staff member of the county board of elections or State Board of Elections. If delivery to the voter's county board of elections is made by staff of a county board of elections or the State Board of Elections, transport of the voted absentee ballots shall be in a sealed, secure container, with clear documentation of the chain of custody. The county board of elections or State Board of Elections receiving the out-of-county voted absentee ballots shall note the date, time, individual receiving the voted absentee ballots, and individual delivering the voted absentee ballots, as well as the impacted county to which the voted absentee ballots will be sent, in a log. The log required by this subdivision shall be confidential and not a public record until the opening of the voting place in accordance with G.S. 163-166.25, at which time the official register shall constitute a public record. On a daily basis and on Election Night, each receiving county shall report to the State Board of Elections the number of voted absentee ballots received in such a manner for each impacted county, which report shall be a public record.

- 1 (2) For absentee ballots voted or returned in accordance with subdivision (7) of
- 2 Section 9.1(a) of this Part, the State Board of Elections shall establish a
- 3 uniform process for bipartisan teams to assist voters in voting absentee
- 4 ballots and documenting the receipt and transmittal of the voted absentee
- 5 ballots to the appropriate county board of elections.
- 6 (3) The provisions of the resolution adopted by the State Board of Elections on
- 7 October 7, 2024, not inconsistent with the provisions of this act shall continue
- 8 in effect until amended by the State Board of Elections or the certification of
- 9 the November 2024 election, whichever is sooner. In establishing any further
- 10 emergency measures related to Hurricane Helene and its aftermath in
- 11 accordance with G.S. 163-27.1, the State Board of Elections shall not exercise
- 12 any emergency power inconsistent with this act.
- 13 (4) The State Board of Elections shall strive to educate all eligible voters impacted
- 14 or displaced by the disaster regarding the options to cast a ballot during the
- 15 November 2024 election, which efforts shall include the establishment of a
- 16 resource for voters to obtain answers to individual questions about how to cast
- 17 a ballot in the November 2024 election. Educational materials shall, at a
- 18 minimum, be distributed to State agencies, shelters, groups, and other
- 19 organizations serving persons impacted or displaced by the disaster and posted
- 20 on the website of the State Board of Elections. The State Board of Elections
- 21 may contract for communication services to implement this section but may
- 22 not contract with any firm actively working on a campaign for any elected
- 23 office in this State.

24 **SECTION 9.2.(b)** The State Board of Elections, no later than April 15, 2025, shall
 25 report to the Joint Legislative Elections Oversight Committee as to the efforts made to implement
 26 this Part. The report shall include an evaluation of emergency measures necessary to ensure the
 27 seamless conduct of secure elections in the aftermath of a natural disaster and recommendations
 28 for emergency response plans in the future.

29
 30 **PART X. AGRICULTURE AND ENVIRONMENTAL QUALITY**

31
 32 **FUNDING FLEXIBILITY FOR DRINKING WATER AND WASTEWATER**
 33 **INFRASTRUCTURE PROJECTS**

34 **SECTION 10.1.(a)** Definitions. – The following definitions apply to this section:

- 35 (1) Infrastructure funding provision. – An appropriation to the Clean Water
- 36 Reserve or the Drinking Water Reserve for wastewater or drinking water
- 37 infrastructure projects in any prior act of the General Assembly.
- 38 (2) Local government unit. – As defined in G.S. 159G-20.

39 **SECTION 10.1.(b)** Fund Flexibility. – Notwithstanding any provision of (i)
 40 Chapters 159G and 143C of the General Statutes and (ii) the requirements and limitations of any
 41 infrastructure funding provision, the Department of Environmental Quality may do the
 42 following:

- 43 (1) Transfer funds between the Clean Water Reserve and the Drinking Water
- 44 Reserve accounts in the Water Infrastructure Fund established in
- 45 G.S. 159G-22 to provide emergency loans to local governments as set forth in
- 46 G.S. 159G-33(a)(4) and G.S. 159G-34(a)(4). The limits set forth in
- 47 G.S. 159G-36(c) shall not apply to these loans.
- 48 (2) Authorize local government units within the counties described in Section
- 49 4.1(b)(1) of this act that were provided funds under an infrastructure funding
- 50 provision to use those funds for the following:

- 1 a. Mitigation or remediation of disaster-related damage, delay, or other
2 impairment to allow a planned, ongoing, or completed drinking water
3 or wastewater infrastructure project to begin, resume, or continue to
4 operate.
- 5 b. Temporary measures that allow the preservation or restoration of
6 drinking water and wastewater service or emergency operations at a
7 drinking water or wastewater facility.

9 WASTEWATER TREATMENT PLANT SERVICE FLEXIBILITY

10 **SECTION 10.2.** G.S. 143-215.3 is amended by adding a new subsection to read:

11 "(g) Wastewater Management Authority During State of Emergency. – When a state of
12 emergency, as defined in G.S. 166A-19.3, has been declared by the Governor due to a natural
13 disaster such as a hurricane, tornado, or flood, or due to a pending disaster, the Department may,
14 during the state of emergency, require wastewater treatment plants to accept domestic septage,
15 as that term is defined by G.S. 130A-290(a)(32)a., including domestic septage originating from
16 beyond the county or municipal boundaries where a plant is located, to the extent that the capacity
17 and capabilities of the plant are not negatively impacted."

19 STORM DEBRIS OPEN BURNING REGULATORY RELIEF

20 **SECTION 10.3.(a)** The following definitions apply to this section and its
21 implementation:

- 22 (1) The definitions set out in G.S. 130A-290.
- 23 (2) The definitions set out in 15A NCAC 02D .0101 (Air Pollution Control
24 Requirements: Definitions and References).
- 25 (3) "Storm-related debris" means any solid and engineered wood products,
26 vegetative land-clearing debris, or yard trash that originates from designated
27 counties in an emergency area as defined in G.S. 166A-19.3(7) as a result of
28 the impacts of Hurricane Helene occurring on September 25-30, 2024.

29 **SECTION 10.3.(b)** From the date that the state of emergency was declared by the
30 Governor under Executive Order No. 315 through March 31, 2025, the open burning of
31 storm-related debris is permissible without an air quality permit if the conditions of 15A NCAC
32 02D .1903(b)(2)(A) through (E) are met. Open burning of storm-related debris shall not,
33 however, be initiated in a county for which the Department of Environmental Quality or the
34 Forsyth County Office of Environmental Assistance and Protection has forecasted an "Air
35 Quality Action Day Code 'Orange' or above" during the 24-hour time period covered by that Air
36 Quality Action Day.

37 **SECTION 10.3.(c)** The provisions of subsection (b) of this section shall not be
38 construed to (i) allow the burning of inert debris, including asphalt shingles, tar paper, insulation,
39 drywall, concrete, bricks, or glass, (ii) allow the burning of tires, wire, plastics, refuse,
40 salvageable items, or dangerous or hazardous materials, (iii) allow any activity that would violate
41 federal law, or (iv) allow any activity that causes an imminent threat to public health or safety.

42 **SECTION 10.3.(d)** The authority to conduct open burning pursuant to this section
43 does not exempt or excuse a person from the consequences, damages, or injuries that may result
44 from this conduct. It does not excuse or exempt a person from complying with laws, ordinances,
45 rules, or orders of other governmental entities having jurisdiction even though the open burning
46 is conducted in compliance with this section.

47 **SECTION 10.4.** Article 78 of Chapter 106 of the General Statutes is amended by
48 adding a new section to read:

49 "§ 106-951. Waiver of permits required for certain open burning during state of
50 emergency.

1 (a) When a state of emergency, as defined in G.S. 166A-19.3, has been declared by the
2 Governor due to a natural disaster or due to a pending disaster, the Commissioner may waive
3 permitting requirements under this Article for the open burning of storm-related debris generated
4 as a result of a natural disaster in areas affected by the disaster. A waiver issued pursuant to this
5 subsection may include limitations on burning with respect to property setbacks, timing of burns,
6 and other matters as the Commissioner deems necessary or advisable for the protection of health,
7 safety, and protection of property. For purposes of this section, the following definitions apply:
8 (i) definitions set out in G.S. 130A-290 and (ii) "storm-related debris" means any solid and
9 engineered wood products, vegetative land-clearing debris, or yard trash that originates from
10 designated counties in an emergency area as defined in G.S. 166A-19.3(7).

11 (b) The Commissioner shall suspend or terminate a waiver of permitting requirements
12 for open burning of storm-related debris granted pursuant to subsection (a) of this section upon
13 determination of (i) the Commissioner that hazardous forest fire conditions exist in the affected
14 area or (ii) the Environmental Management Commission that open burning in the affected area
15 is causing significant contravention of ambient air quality standards or that an air pollution
16 episode exists pursuant to Article 21B of Chapter 143 of the General Statutes.

17 (c) Authority granted to the Commissioner pursuant to this section shall not be construed
18 to limit the authority of the Environmental Management Commission or the Department of
19 Environmental Quality to regulate air quality pursuant to Articles 21 and 21B of Chapter 143 of
20 the General Statutes and rules adopted thereunder governing open burning.

21 (d) The Commissioner shall issue a press release containing relevant details of waivers
22 granted pursuant to this section, and suspension or termination of a waiver, to news media and
23 governmental agencies serving the area affected.

24 (e) Open burning conducted pursuant to authority granted by this section does not exempt
25 or excuse a person from the consequences, damages, or injuries that may result from this conduct.
26 It does not excuse or exempt a person from complying with laws, ordinances, rules, or orders of
27 other governmental entities having jurisdiction even though the open burning is conducted in
28 compliance with this section."

29 30 **CONFORM AIR CURTAIN INCINERATOR PERMITTING REQUIREMENTS TO** 31 **FEDERAL LAW**

32 **SECTION 10.5.(a)** Definitions. – For purposes of this section and its
33 implementation, "Air Curtain Incinerators Rule" means 15A NCAC 02D .1904 (Air Curtain
34 Incinerators).

35 **SECTION 10.5.(b)** Air Curtain Incinerators Rule. – Until the effective date of the
36 revised permanent rule that the Environmental Management Commission is required to adopt
37 pursuant to subsection (d) of this section, the Commission shall implement the Air Curtain
38 Incinerators Rule as provided in subsection (c) of this section.

39 **SECTION 10.5.(c)** Implementation. – Consistent with recent revisions to the federal
40 Clean Air Act's Air Curtain Incinerators Title V Permitting provisions, owners and operators of
41 permanent and temporary air curtain incinerators subject to 40 C.F.R. Part 60, Subparts EEEE
42 and FFFF, shall not be required to obtain a General Title V Operating Permit.

43 **SECTION 10.5.(d)** Additional Rulemaking Authority. – The Commission shall
44 adopt a rule to amend the Air Curtain Incinerators Rule consistent with subsection (c) of this
45 section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this
46 section shall be substantively identical to the provisions of subsection (c) of this section. Rules
47 adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the
48 General Statutes. Rules adopted pursuant to this section shall become effective as provided in
49 G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in
50 G.S. 150B-21.3(b2).

1 **SECTION 10.5.(e)** Sunset. – This section expires when permanent rules adopted as
2 required by subsection (d) of this section become effective.

3 4 **RAPID RECOVERY LOAN PROGRAM EXTENSION**

5 **SECTION 10.6.** Section 4.2 of S.L. 2020-4, as amended by Section 1.6 of S.L.
6 2020-97, Section 20.11 of S.L. 2022-6, Section 11.12 of S.L. 2022-74, and Section 11.5A of S.L.
7 2023-134, reads as rewritten:

8 **"SECTION 4.2.(a)** Program. – Of the funds allocated in subdivision (45) of Section 3.3 of
9 this act, Golden LEAF shall provide grants to entities for the purpose of making emergency loans
10 to assist small businesses with business needs during periods of economic hardship occasioned
11 by the COVID-19 pandemic. It is the intent of the General Assembly for an equitable portion of
12 funds allocated in this section to be used for the benefit of historically underutilized small
13 businesses. The following shall apply to the program and loans made under the program:

14 ...

15 (5) Except as provided in ~~subdivision~~subdivisions (9a) and (9b) of this
16 subsection, the term of the loan shall not exceed 168 months and shall be
17 amortized over the term of the loan.

18 ...

19 (9a) A lender, as authorized by Golden LEAF, may take prudent and commercially
20 reasonable efforts to remedy a default, a likelihood of default, or bankruptcy
21 filing by a business, including restructuring the terms of a loan and entering
22 into settlement agreements, provided that, if a loan is restructured, the
23 following requirements are met:

24 a. The interest rate is not reduced below prime rate.

25 b. The term of the loan is not extended by more than 36 months.

26 (9b) A lender, as authorized by Golden LEAF, may extend the term of the loan to
27 180 months for businesses impacted by Hurricane Helene located in counties
28 defined in the Small Business Administration Declaration NC-20007 and any
29 modification or expansion of that declaration.

30 "

31 32 **PART XI. TRANSPORTATION**

33 34 **WAIVER OF CERTAIN DMV FEES**

35 **SECTION 11.1.(a)** Notwithstanding G.S. 20-14, 20-37.7, 20-85, and 20-88.03, the
36 Governor may waive any fees assessed by the Division of Motor Vehicles under those sections
37 for the following:

38 (1) A duplicate drivers license, duplicate commercial drivers license, or duplicate
39 special identification card.

40 (2) A special identification card issued to a person for the first time.

41 (3) An application for a duplicate or corrected certificate of title.

42 (4) A replacement registration plate.

43 (5) An application for a duplicate registration card.

44 (6) Late payment of a motor vehicle registration renewal fee.

45 **SECTION 11.1.(b)** The waiver authorized under subsection (a) of this section only
46 applies to residents of counties impacted by Hurricane Helene or PTC8, as determined by the
47 Governor. A resident is allowed a refund of any fee assessed and collected by the Division of
48 Motor Vehicles and waived pursuant to this section. The Division shall post notice of the
49 availability of a refund on its website.

50 **SECTION 11.1.(c)** This section is effective when it becomes law and applies to fees
51 assessed or collected on or after September 15, 2024. This section expires December 31, 2024.

1
2 **WAIVER OF CERTAIN PERMITTING REQUIREMENTS ASSOCIATED WITH**
3 **STATE HIGHWAY SYSTEM REPAIRS**

4 **SECTION 11.2.** G.S. 166A-19.30(a) reads as rewritten:

5 **"§ 166A-19.30. Additional powers of the Governor during state of emergency.**

6 (a) In addition to any other powers conferred upon the Governor by law, during a
7 gubernatorially or legislatively declared state of emergency, the Governor shall have the
8 following powers:

9 ...

- 10 (5) Through issuance of an executive order to waive requirements for an
11 environmental document or permit issued under Articles 1, 4, and 7 of Chapter
12 113A of the General Statutes for the repair, protection, safety enhancement,
13 or replacement of a component of the State highway system ~~that provides the~~
14 ~~sole road access to an incorporated municipality or an unincorporated~~
15 ~~inhabited area bordering the Atlantic Ocean or any coastal sound~~ where bridge
16 or road conditions as a result of the events leading to the declaration of the
17 state of emergency pose a substantial risk to public health, safety, or welfare.
18 The executive order shall list the duration of the waiver and the activities to
19 which the waiver applies. For purposes of this subdivision, ~~"coastal sound"~~
20 ~~shall have the definition set forth in G.S. 113A-103, and "replacement"~~ shall
21 not be interpreted to exclude a replacement that increases size or capacity or
22 that is located in a different location than the component that is replaced."
23

24 **PROCUREMENT METHODS AUTHORIZED IN DISASTER AREAS**

25 **SECTION 11.3.(a)** Notwithstanding any other provision of law and without impact
26 on otherwise established caps on a contracting methodology, the Department of Transportation
27 is authorized to utilize the following methods to contract for the repair and replacement of
28 transportation infrastructure damaged or destroyed as a result of the impacts of Hurricane Helene:

- 29 (1) Progressive design-build.
30 (2) Design-build.
31 (3) Design-bid-build.
32 (4) Indefinite delivery-indefinite quantity.
33 (5) Construction manager-general contractor.

34 **SECTION 11.3.(b)** The temporary authority granted by this section applies to all of
35 the counties identified in Section 4.1(b)(1) of this act.
36

37 **PART XII. RETIREMENT AND STATE HUMAN RESOURCES**

38
39 **TEMPORARILY REMOVE BARRIERS TO ALLOW RETIREES OF THE TEACHERS'**
40 **AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL**
41 **GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO WORK**
42 **ON A PART-TIME, TEMPORARY, OR INTERIM BASIS**

43 **SECTION 12.1.(a)** For individuals who retired under the Teachers' and State
44 Employees' Retirement System (TSERS) on or after April 1, 2024, but before October 1, 2024,
45 the six-month separation from service from an employer required under G.S. 135-1(20) in order
46 for a retirement to become effective shall not apply and instead a one-month separation shall be
47 required, provided that the position to which the individual returns is needed due to the state of
48 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
49 certified to the Retirement Systems Division of the Department of State Treasurer by the
50 employing agency.

1 **SECTION 12.1.(b)** Upon the expiration of subsection (a) of this section, all of the
2 following shall apply:

3 (1) The six-month separation from an employer required under G.S. 135-1(20)
4 shall again be applicable to individuals who retired under TSERS on or after
5 April 1, 2024, but before October 1, 2024.

6 (2) In order for a member's retirement under TSERS on or after April 1, 2024, but
7 before October 1, 2024, to become effective in any month, the member must
8 perform no work for an employer, including part-time, temporary, substitute,
9 or contractor work, at any time between the expiration of subsection (a) of this
10 section and the end of the six months immediately following the effective date
11 of retirement, provided the expiration of the six-month period of separation
12 did not occur while subsection (a) of this section was in effect.

13 **SECTION 12.1.(c)** For individuals who retired under TSERS on or after April 1,
14 2024, but before October 1, 2024, any time worked between September 25, 2024, and the time
15 subsection (a) of this section expires shall not be considered work for the purposes of the
16 six-month separation required under G.S. 135-1(20) or for the purposes of G.S. 135-3(d),
17 provided the position held by the individual is needed due to the state of emergency related to
18 Hurricane Helene or associated Hurricane Helene recovery efforts, as certified to the Retirement
19 Systems Division of the Department of State Treasurer by the employing agency.

20 **SECTION 12.1.(d)** For individuals who retired prior to October 1, 2024, any
21 earnings received between September 25, 2024, and the time that subsection (a) of this section
22 expires shall not be treated as earned by a TSERS beneficiary under the provisions of
23 G.S. 135-3(a)(8)c., provided those earnings are related to a position needed due to the state of
24 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
25 certified to the Retirement Systems Division of the Department of State Treasurer by the
26 employing agency.

27 **SECTION 12.1.(e)** For individuals who retired prior to October 1, 2024, any
28 earnings received between September 25, 2024, and the time that subsection (a) of this section
29 expires shall not be treated as earned by a beneficiary of the Local Governmental Employees
30 Retirement System (LGERS) under the provisions of G.S. 128-24(5)c., provided those earnings
31 are related to a position needed due to the state of emergency related to Hurricane Helene or
32 associated Hurricane Helene recovery efforts, as certified to the Retirement Systems Division of
33 the Department of State Treasurer by the employing unit.

34 **SECTION 12.1.(f)** Any benefits received by or paid to a law enforcement officer,
35 retired law enforcement officer, sheriff, or retired sheriff under Article 12D or Article 12H of
36 Chapter 143 of the General Statutes shall not be impacted by any work performed between
37 September 25, 2024, and the time that subsection (a) of this section expires, provided that work
38 performed is needed due to the state of emergency related to Hurricane Helene or associated
39 Hurricane Helene recovery efforts, as documented by the employing unit or agency.

40 **SECTION 12.1.(g)** Subsection (a) of this section expires when the statewide
41 declaration of emergency issued by the Governor in Executive Order No. 315, concurred to by
42 the Council of State and as extended pursuant to this act and any other enactment of a general
43 law, expires.
44

45 **RELIEF FROM TEMPORARY EMPLOYMENT RESTRICTIONS**

46 **SECTION 12.2.** Effective October 1, 2024, notwithstanding G.S. 126-6.3(a1),
47 temporary employees, as defined by G.S. 126-6.3(c)(7), who are working to support disaster
48 recovery response efforts are exempt from the mandatory separation requirement for the duration
49 of the state of emergency related to Hurricane Helene or associated Hurricane Helene recovery
50 efforts, as certified to the Office of State Human Resources by the employing agency. The
51 provisions of G.S. 126-6.3(a4) contrary to this section will not apply and these employees may

1 comply with the mandatory separation requirement within six months after the cessation of the
2 state of emergency.

3
4 **PART XIII. TAX**

5
6 **INTEREST WAIVER FOR CERTAIN TAXES AND EXTENSION TO FILE**
7 **PARTNERSHIP AND S CORPORATION ELECTION**

8 **SECTION 13.1.(a)** Interest Waiver for Certain State Taxes. – Notwithstanding
9 G.S. 105-241.21(b), the Secretary of Revenue shall waive the accrual of interest from September
10 25, 2024, through May 1, 2025, on an underpayment of tax imposed on a franchise, corporate
11 income, or individual income tax return, including a partnership and estate and trust tax return,
12 due on September 25, 2024, through May 1, 2025, for a taxpayer that resides or is located in a
13 county identified in Section 4.1(b) of this act. The relief from accrual of interest includes interest
14 imposed pursuant to G.S. 105-163.15 and G.S. 105-163.41 for underpayment of estimated
15 income tax.

16 **SECTION 13.1.(b)** Sales and Use Tax Interest Waiver. – Notwithstanding
17 G.S. 105-241.21(b), the Secretary shall waive the accrual of interest as described in this
18 subsection for an underpayment of State, local, or transit sales and use taxes by a taxpayer whose
19 principal place of business is located in a county described in Section 4.1(b) of this act:

- 20 (1) For an underpayment of tax due on a quarterly return for the third calendar
21 quarter of 2024, the amount of interest accrued from October 31, 2024,
22 through November 30, 2024, so long as the payment is made on or before
23 November 30, 2024.
- 24 (2) For an underpayment of tax due on a monthly return for September 2024, the
25 amount of interest accrued from October 20, 2024, through November 20,
26 2024, so long as the payment is made on or before November 20, 2024.
- 27 (3) For an underpayment of tax due on a monthly return for October 2024, the
28 amount of interest accrued from November 20, 2024, through December 20,
29 2024, so long as the payment is made on or before December 20, 2024.

30 **SECTION 13.1.(c)** Withholding Taxes Interest Waiver. – Notwithstanding
31 G.S. 105-241.21(b) and excluding taxpayers under G.S. 105-163.6(d), the Secretary of Revenue
32 shall waive the accrual of interest as described in this subsection for an underpayment of withheld
33 taxes by a taxpayer located in a county described in Section 4.1(b) of this act:

- 34 (1) For an underpayment of tax due on a quarterly return for the third calendar
35 quarter of 2024, the amount of interest accrued from October 31, 2024,
36 through November 30, 2024, so long as the payment is made on or before
37 November 30, 2024.
- 38 (2) For an underpayment of tax due on a monthly return for September 2024, the
39 amount of interest accrued from October 15, 2024, through November 15,
40 2024, so long as the payment is made on or before November 15, 2024.
- 41 (3) For an underpayment of tax due on a monthly return for October 2024, the
42 amount of interest accrued from November 15, 2024, through December 15,
43 2024, so long as the payment is made on or before December 15, 2024.

44 **SECTION 13.1.(d)** Taxed Partnership and S Corporation Election. – The election
45 under G.S. 105-154.1 for partnerships or G.S. 105-131.1A for S Corporations for tax year 2023
46 will be considered timely on an annual return due after September 25, 2024, and before May 1,
47 2025, if the election is made on a return filed on or before May 1, 2025.

48
49 **PART XIV. JUSTICE AND PUBLIC SAFETY**

1 **IMPLEMENT TEMPORARY EXTENSION ON WHEN POST-RELEASE**
2 **SUPERVISION AND PAROLE PRELIMINARY VIOLATION HEARINGS MUST**
3 **OCCUR**

4 **SECTION 14.1.(a)** Notwithstanding any provision of law to the contrary,
5 preliminary hearings related to violations of post-release supervision:

6 (1) May, in addition to options under current law, be held where the supervisee is
7 presently housed.

8 (2) Shall be held within 21 working days of the arrest of a supervisee.

9 **SECTION 14.1.(b)** Notwithstanding any provision of law to the contrary,
10 preliminary hearings related to violations of parole:

11 (1) May, in addition to options under current law, be held where the supervisee is
12 presently housed.

13 (2) Shall be held within 21 working days of the arrest of a supervisee.

14 **SECTION 14.1.(c)** This section applies only to the counties identified in Section
15 4.1(b) of this act.

16 **SECTION 14.1.(d)** This section is effective when it becomes law, applies to
17 preliminary hearings related to violations of post-release supervision or parole occurring on or
18 after that date, and shall expire after 21 days have passed following the expiration or rescission
19 of the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
20 concurred to by the Council of State and as extended pursuant to this act and any other enactment
21 of a general law.

22
23 **PART XV. HEALTH AND HUMAN SERVICES**

24
25 **WAIVE CERTAIN MANDATORY STANDARDS FOR CHILD CARE LICENSURE**

26 **SECTION 15.1.(a)** Notwithstanding G.S. 110-91 or any other law or rule to the
27 contrary, the Department of Health and Human Services may temporarily waive or modify
28 certain mandatory standards for a license for child care facilities in an area impacted by Hurricane
29 Helene.

30 **SECTION 15.1.(b)** The temporary authority granted by subsection (a) of this section
31 applies only to the counties identified in Section 4.1(b) of this act.

32 **SECTION 15.1.(c)** This section is effective when it becomes law and expires when
33 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
34 concurred to by the Council of State and as extended pursuant to this act and any other enactment
35 of a general law, expires.

36
37 **TEMPORARY AUTHORIZATION TO INCREASE/RELOCATE CERTAIN HOME**
38 **HEMODIALYSIS AND IN-CENTER DIALYSIS STATIONS**

39 **SECTION 15.2.(a)** Notwithstanding G.S. 131E-176(5) or any other law to the
40 contrary, the Department of Health and Human Services, Division of Health Service Regulation,
41 may do one or more of the following in an area impacted by Hurricane Helene to protect the
42 health, safety, and welfare of home hemodialysis and in-center hemodialysis patients:

43 (1) Allow a temporary increase in the number of home hemodialysis training
44 stations in an existing kidney disease treatment center, including a
45 freestanding dialysis unit.

46 (2) Allow a temporary increase in the number of dialysis stations in an existing
47 kidney disease treatment center, including a freestanding dialysis unit.

48 (3) Allow the temporary relocation of dialysis stations in an existing kidney
49 disease treatment center, including a freestanding dialysis unit, to a separate
50 physical space or setting.

1 **SECTION 15.2.(b)** The temporary authority granted by subsection (a) of this section
2 applies only to the counties identified in Section 4.1(b) of this act.

3 **SECTION 15.2.(c)** This section is effective when it becomes law and expires when
4 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
5 concurred to by the Council of State and as extended pursuant to this act and any other enactment
6 of a general law, expires.

7
8 **TEMPORARY AUTHORIZATION TO EXTEND PROVISIONAL LICENSES FOR**
9 **ADULT CARE HOMES AND FAMILY CARE HOMES**

10 **SECTION 15.3.(a)** Notwithstanding G.S. 131D-2.7(a) or any other law to the
11 contrary, the Department of Health and Human Services, Division of Health Service Regulation,
12 may extend a provisional license issued to an adult care home or a family care home located in
13 an area impacted by Hurricane Helene if the provisional license is due to expire within the
14 six-month period commencing September 25, 2024, and ending March 25, 2025. The period of
15 extension shall not exceed 60 days from the expiration date of the provisional license. As used
16 in this section, the terms "adult care home" and "family care home" are as defined in
17 G.S. 131D-2.1.

18 **SECTION 15.3.(b)** The temporary authority granted by subsection (a) of this section
19 applies only to the counties identified in Section 4.1(b) of this act.

20 **SECTION 15.3.(c)** This section is effective when it becomes law and expires when
21 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
22 concurred to by the Council of State and as extended pursuant to this act and any other enactment
23 of a general law, expires.

24
25 **PART XVI. GENERAL GOVERNMENT**

26
27 **EXTEND GRACE PERIOD FOR CORPORATIONS, NONPROFITS, AND LLCs IN**
28 **FEMA-DESIGNATED COUNTIES TO CORRECT GROUNDS FOR**
29 **ADMINISTRATIVE DISSOLUTION**

30 **SECTION 16.1.** Notwithstanding the provisions of G.S. 55-14-21(b), 55A-14-21(b),
31 and 57D-6-06(b), any corporation, nonprofit, or LLC in a county designated by FEMA for
32 individual assistance, including the Eastern Band of Cherokee Indians, shall have until 12:01
33 A.M. on March 1, 2025, to correct each ground for dissolution or demonstrate to the reasonable
34 satisfaction of the Secretary of State that each ground determined by the Secretary of State does
35 not exist.

36
37 **CONSTRUCTION FEE MORATORIUM**

38 **SECTION 16.2.(a)** Notwithstanding any other provision of law, for any single
39 commercial or residential project, the Department of Insurance, counties, and cities shall not
40 impose any fee associated with a permit, inspection, or certificate of occupancy required by law
41 for construction, reconstruction, alteration, repair, movement to another site, removal, or
42 demolition of a manufactured home, building, dwelling, or structure damaged as a direct result
43 of Hurricane Helene.

44 **SECTION 16.2.(b)** The moratorium provided in subsection (a) of this section applies
45 in North Carolina counties designated under a major disaster declaration by the President of the
46 United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene. A person is
47 allowed a refund of any fee assessed and collected that is subject to the moratorium imposed by
48 this section. The Department of Insurance, counties, and cities shall post a notice of the
49 availability of a refund on their websites.

1 **SECTION 16.2.(c)** This section is effective when it becomes law and applies to
2 applications for issuance of a permit dated on or after September 26, 2024. This section expires
3 December 31, 2024.

4
5 **PART XVII. MISCELLANEOUS**

6
7 **LEGISLATIVE REVIEW OF FEDERAL FUNDING AND REMAINING UNMET**
8 **NEEDS**

9 **SECTION 17.1.** It is the intent of the General Assembly to review the funds
10 appropriated by Congress for disaster relief and to consider actions needed to address any
11 remaining unmet needs. It is also the intent of the General Assembly to review the adequacy of
12 the measures funded by this act at that time.

13
14 **INVOLVEMENT OF HISTORICALLY UNDERUTILIZED BUSINESSES**

15 **SECTION 17.2.** It is the intent of the General Assembly that, during this time of
16 rebuilding and relief efforts, each State agency should strive to acquire goods and services from
17 historically underutilized business vendors, whether directly as principal contractors or indirectly
18 as subcontractors or otherwise.

19
20 **EACH APPROPRIATION AND ALLOCATION IS MAXIMUM AND CONDITIONAL**

21 **SECTION 17.3.** The appropriations and allocations made in this act are for
22 maximum amounts necessary to implement this act. Savings shall be effected where the total
23 amounts appropriated or allocated are not required to implement this act.

24
25 **AUTHORITY TO ESTABLISH TIME-LIMITED POSITIONS TO IMPLEMENT THIS**
26 **ACT**

27 **SECTION 17.4.** The Governor may establish part-time and full-time personnel
28 positions to implement this act. Positions established under this section are time-limited and
29 exempt from the State Human Resources Act.

30
31 **PART XVIII. EFFECTIVE DATE**

32 **SECTION 18.1.** Except as otherwise provided, this act is effective when it becomes
33 law.