

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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**HOUSE BILL 74
PROPOSED COMMITTEE SUBSTITUTE H74-PCS30135-MHxfa-1**

Short Title: House Budget Technical Corrections.

(Public)

Sponsors:

Referred to:

February 11, 2025

A BILL TO BE ENTITLED
AN ACT TO MAKE VARIOUS TECHNICAL AND CLARIFYING CHANGES TO THE
CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023 AND TO OTHER ACTS.
The General Assembly of North Carolina enacts:

PART I. GENERAL PROVISIONS

EXTEND THE TIME LINE FOR CERTAIN DIRECTED GRANTS TO NON-STATE ENTITIES

SECTION 1.1.(a) This section applies to any directed grants appropriated as nonrecurring funds in S.L. 2022-74 for the 2022-2023 fiscal year that (i) remain unexpended as of the effective date of this section and (ii) are subject to reversion on December 31, 2024, as set forth in Section 1 of S.L. 2024-40. Notwithstanding any provision of law to the contrary, the grants described by this section shall not revert on December 31, 2024, but shall remain available for expenditure for the purpose for which the funds were appropriated until the earlier of the date the funds are expended or the date the funds revert pursuant to subsection (b) of this section.

SECTION 1.1.(b) Any funds described in subsection (a) of this section that remain unexpended as of December 31, 2024, shall revert to the appropriate fund at the end of the 2025-2026 fiscal year.

SECTION 1.1.(c) This section is effective retroactively to December 31, 2024.

PART II. EDUCATION

REVISE DEADLINE FOR UNC REPORT ON STATE BUDGET ALLOCATIONS AND POLICIES

SECTION 2.1. G.S. 116-11(9b) reads as rewritten:

"(9b) The Board of Governors shall report by ~~February 1~~ March 1 of each year to the Joint Legislative Education Oversight Committee, the Senate Appropriations Committee on Education/Higher Education, the House of Representatives Appropriations Subcommittee on Education, and the Fiscal Research Division on the actions and adjustments necessary to its budgetary policies, regulations, and standards resulting from the Current Operations Appropriations Act for the administration and operation of The University of North Carolina and the distribution of State and federal funds to constituent institutions. The report shall include at least the following information for each constituent institution:



* H 7 4 - P C S 3 0 1 3 5 - M H X F A - 1 *

- 1 a. Guidelines related to State salaries of University of North Carolina
- 2 employees, including range, median, and mean of faculty salaries at
- 3 the institution.
- 4 b. Budget allocations and reductions, including for operating expenses
- 5 and specific programs.
- 6 c. Distribution of additional State allocations for enrollment funding.
- 7 d. Use of State funds and budget flexibility.
- 8 e. Availability of federal funds.
- 9 f. Tuition and fees.
- 10 g. Composition of the student population at the institution, including
- 11 headcount enrollment and full-time student enrollment for both
- 12 undergraduate and graduate students, and aggregate data on residency
- 13 status, median household income, gender, race, and ethnicity.
- 14 h. Student retention and graduation rates.
- 15 i. Postsecondary educational attainment rate at the institution, including
- 16 comparison to statewide data.
- 17 j. A comparison to prior fiscal year expenditures and appropriations.
- 18 k. The total amount of mandatory student fee revenue collected by
- 19 institution and fee type.
- 20 l. Any source of student auxiliary revenue that represents greater than
- 21 ten percent (10%) of the overall student auxiliary revenue by
- 22 institution and revenue type.
- 23 m. Any source of sales revenue that represents greater than ten percent
- 24 (10%) of the overall sales revenue by institution and sales revenue
- 25 type."
- 26

UNC BOARD OF GOVERNORS TEMPORARY EMPLOYMENT AUTHORITY

SECTION 2.2.(a) G.S. 126-5(c1)(8) reads as rewritten:

"(8) Employees of The University of North Carolina who are exempt from the minimum wage and overtime compensation provisions of the Fair Labor Standards Act, ~~including~~ instructional and research staff, student-oriented professionals, finance professionals, business office professionals, auditor professionals, information technology professionals, physicians, dentists, pilots, ~~and~~ the faculty of the North Carolina School of Science and ~~Mathematics~~. Mathematics, and all temporary employees. The Board of Governors of The University of North Carolina shall have the authority to establish positions under this subdivision to be exempt from this Chapter without further review or approval by any other State agency."

SECTION 2.2.(b) This section becomes effective January 1, 2026.

PART III. HEALTH AND HUMAN SERVICES [RESERVED]

PART IV. AGRICULTURE AND NATURAL AND ECONOMIC RESOURCES

REALLOCATE CITY OF OXFORD WATER INFRASTRUCTURE FUNDS

SECTION 4.1.(a) Notwithstanding any provision of S.L. 2023-134 or the Committee Report referenced in Section 43.2 of that act to the contrary, three million dollars (\$3,000,000) of the funds allocated to the City of Oxford for the Kerr Lake Regional Water project by Section 12.2(e)(136) of S.L. 2023-134 shall instead be allocated to the South Granville Water and Sewer Authority for the same purpose.

1 **SECTION 4.1.(b)** Notwithstanding any provision of S.L. 2023-134 or the
 2 Committee Report referenced in Section 43.2 of that act to the contrary, seven million dollars
 3 (\$7,000,000) of the funds allocated to the City of Oxford for the Kerr Lake Regional Water
 4 project by Section 12.2(e)(136) of S.L. 2023-134 shall be transferred to the Office of State Budget
 5 and Management to provide grants to the following local governments and purposes:

- 6 (1) Three million dollars (\$3,000,000) to Franklin County for an infrastructure
 7 project.
- 8 (2) One million dollars (\$1,000,000) to Catawba County for a wastewater
 9 infrastructure project.
- 10 (3) Three million dollars (\$3,000,000) to Hertford County for a water or
 11 wastewater infrastructure project.

12
 13 **REVISE MEGASITES READINESS PROGRAM**

14 **SECTION 4.2.** Section 11.11 of S.L. 2022-74, as amended by Section 11.11 of S.L.
 15 2023-134, reads as rewritten:

16 **"SECTION 11.11.(a)** Purpose. – It is in the best economic and developmental interests of
 17 the State to support the development of megasites to ensure the State's ongoing competitiveness
 18 for major manufacturing opportunities, including, but not limited to, the aerospace, automotive,
 19 clean energy, food processing, semiconductor, and life science industries. The purpose of this
 20 section is to establish a competitive grant program serving to do the following:

- 21 (1) Identify and evaluate up to seven megasites for preferred development and
 22 marketing.
- 23 (2) Assist local governments or a partnership of local governments in the
 24 acquisition of a newly identified or existing megasite.
- 25 (3) Support local governments or a partnership of local governments to analyze,
 26 plan, install, or upgrade public infrastructure, including publicly owned water,
 27 gas, and sewer systems, transportation infrastructure, and the electrical utility
 28 lines necessary to meet the needs of prospective employers for megasites.
- 29 (4) Support local governments or a partnership of local governments to fund
 30 on-site preparation, including clearing, grading, or other related expenses for
 31 megasites.
- 32 (4a) Support local governments or a partnership of local governments in
 33 conducting due diligence, including, but not limited to, the following: site
 34 characteristics, preliminary engineering reports for water and wastewater
 35 provision to the site, assessments related to road and highway infrastructure
 36 to serve the site, and other assessments as needed.
- 37 (5) Facilitate coordination between the economic development entities, the North
 38 Carolina Department of Environmental Quality, and the North Carolina
 39 Department of Transportation to expedite needs related to timely site
 40 development.

41 ...

42 **"SECTION 11.11.(d)** Allocation. – EDPNC shall allocate monies in the Fund on the
 43 following basis:

- 44 ...
- 45 (2) All other funds appropriated to the Fund for local government grants for the
 46 ~~acquisition of megasites determined pursuant to subdivision (1) of this~~
 47 ~~subsection. purposes described in subsection (a) of this section.~~ A grant for
 48 the acquisition of a megasite is limited to eighty-five percent (85%) of the
 49 lesser of the property's purchase price or tax value. The percentage actually
 50 provided in the grant shall be determined by EDPNC based on total
 51 development needs for the megasite, prior investment in the megasite by one

1 or more local governments, the ability of one or more local governments to
 2 invest in the megasite, and the ability and level of participation promised by
 3 the local government in exchange for a grant from the Fund. Monies may only
 4 be granted for, and used to acquire, a megasite for which (i) one or more local
 5 governments have a binding option or offer to purchase and (ii) all basic due
 6 diligence must be complete, including, but not limited to, boundary surveys,
 7 title searches, State Historic Preservation Office reviews, and wetlands
 8 delineation.

9"

10
 11 **PART V. JUSTICE AND PUBLIC SAFETY**

12
 13 **TRANSFER NORTH CAROLINA CENTER FOR MISSING PERSONS TO THE STATE**
 14 **HIGHWAY PATROL**

15 **SECTION 5.1.(a)** All functions, powers, duties, and obligations vested in the North
 16 Carolina Center for Missing Persons in the Department of Public Safety are transferred to, vested
 17 in, and consolidated within the State Highway Patrol by a Type I transfer, as defined in
 18 G.S. 143A-6.

19 **SECTION 5.1.(b)** Article 17 of Chapter 143B of the General Statutes, as enacted by
 20 S.L. 2024-57, is amended by adding a new Part 4 to be entitled "North Carolina Center for
 21 Missing Persons."

22 **SECTION 5.1.(c)** Subpart B of Part 5 of Article 13 of Chapter 143B of the General
 23 Statutes is recodified as Part 4 of Article 17 of Chapter 143B of the General Statutes, as enacted
 24 by S.L. 2024-57, as follows:

<u>Former Citation</u>	<u>Recodified Citation</u>
143B-1010	143B-1760
143B-1011	143B-1761
143B-1012	143B-1762
143B-1013	143B-1763
143B-1014	143B-1764
143B-1015	143B-1765
143B-1016	143B-1766
143B-1017	143B-1767
143B-1018	143B-1768
143B-1019	143B-1769
143B-1020	143B-1770
143B-1021	143B-1771
143B-1022	143B-1772
143B-1023	143B-1773

40 **SECTION 5.1.(d)** Part 4 of Article 17 of Chapter 143B of the General Statutes, as
 41 recodified by subsection (c) of this section, reads as rewritten:

42 "Part 4. North Carolina Center for Missing Persons.

43 **"§ 143B-1760. North Carolina Center for Missing Persons established.**

44 There is established within the ~~Department of Public Safety~~ State Highway Patrol the North
 45 Carolina Center for Missing Persons, which shall be organized and staffed in accordance with
 46 applicable laws. The purpose of the Center is to serve as a central repository for information
 47 regarding missing persons and missing children, with special emphasis on missing children. The
 48 Center may utilize the Federal Bureau of Investigation/National Crime Information Center's
 49 missing person computerized file (hereinafter referred to as FBI/NCIC) through the use of the
 50 Police Information Network in the North Carolina Department of Justice.

51 ...

1 **"§ 143B-1762. Control of the Center.**

2 The Center is under the direction of the ~~Secretary of the Department of Public Safety~~
3 Commander of the State Highway Patrol and may be organized and structured in a manner as the
4 Secretary deems appropriate to ensure that the objectives of the Center are achieved. The
5 ~~Secretary-Commander~~ may employ those Center personnel as the General Assembly may
6 authorize and provide funding for.

7 **"§ 143B-1763. ~~Secretary-Commander~~ to adopt rules.**

8 The ~~Secretary-Commander~~ of the State Highway Patrol shall adopt rules prescribing all of
9 the following:

- 10 (1) Procedures for accepting and disseminating information maintained at the
11 Center.
12 (2) The confidentiality of the data and information, including the missing person
13 report, maintained by the Center.
14 (3) The proper disposition of all obsolete data, including the missing person
15 report; provided, data for an individual who has reached the age of 18 and
16 remains missing must be preserved.
17 (4) Procedures allowing a communication link with the Police Information
18 Network and the FBI/NCIC's missing person file to ensure compliance with
19 FBI/NCIC policies.
20 (5) Forms, including but not limited to a missing person report, considered
21 necessary for the efficient and proper operation of the Center.

22 ...

23 **"§ 143B-1765. Dissemination of missing persons data by law-enforcement agencies.**

24 ...

25 If the report involves a missing child and the report meets the criteria established in
26 ~~G.S. 143B-1021(b), G.S. 143B-1771(b)~~, as soon as practicable after receipt of the report, the law
27 enforcement agency shall notify the Center and the National Center for Missing and Exploited
28 Children of the relevant data about the missing child.

29 ...

30 **"§ 143B-1766. Responsibilities of Center.**

31 The Center shall do all of the following:

32 ...

- 33 (9) Maintain a directory of existing public and private agencies, groups, and
34 individuals that provide effective assistance to families in the areas of
35 prevention of child abduction, location of missing children and missing
36 persons, and follow-up services to the child or person and family, as
37 determined by the ~~Secretary of Public Safety-Commander of the State~~
38 Highway Patrol.

39 ...

- 40 (13) Perform such other activities that the ~~Secretary of Public Safety-Commander~~
41 of the State Highway Patrol considers necessary to carry out the intent of its
42 mandate.

43 ...

44 **"§ 143B-1768. Release of information by Center.**

45 The following may make inquiries of, and receive data or information from, the Center:

46 ...

- 47 (4) Any person engaged in bona fide research when approved by the ~~Secretary;~~
48 Commander of the State Highway Patrol; provided, no names or addresses
49 may be supplied to this person.

- 1 (5) Any other person authorized by the Secretary of the ~~Department of Public~~
 2 ~~Safety—Commander of the State Highway Patrol~~ pursuant to
 3 ~~G.S. 143B-1013-G.S. 143B-1763.~~

4 **"§ 143B-1769. Provision of toll-free service; instructions to callers; communication with**
 5 **law-enforcement agencies.**

6 The Center shall provide a toll-free telephone line for anyone to report the disappearance of
 7 any individual or the sighting of any missing child or missing person. The Center personnel shall
 8 instruct the caller, in the case of a report concerning the disappearance of an individual, of the
 9 requirements contained in ~~G.S. 143B-1014-G.S. 143B-1764~~ of first having to submit a missing
 10 person report on the individual to the law-enforcement agency having jurisdiction of the area in
 11 which the individual became or is believed to have become missing. Any law-enforcement
 12 agency may retrieve information imparted to the Center by means of this phone line. The Center
 13 shall directly communicate any report of a sighting of a missing person or a missing child to the
 14 law-enforcement agency having jurisdiction in the area of disappearance or sighting.

15 **"§ 143B-1770. Improper release of information; penalty.**

16 Any person working under the supervision of the Director of Victims and Justice Services
 17 who knowingly and willfully releases, or authorizes the release of, any data, information, or
 18 records maintained or possessed by the Center to any agency, entity, or person other than as
 19 specifically permitted by ~~Subpart B—this Part~~ or in violation of any rule adopted by the ~~Secretary~~
 20 ~~Commander of the State Highway Patrol~~ is guilty of a Class 2 misdemeanor.

21 **"§ 143B-1771. North Carolina AMBER Alert System established.**

22 (a) There is established within the North Carolina Center for Missing Persons the
 23 AMBER Alert System. The purpose of AMBER Alert is to provide a statewide system for the
 24 rapid dissemination of information regarding abducted children.

25 (b) The AMBER Alert System shall make every effort to disseminate information on
 26 missing children as quickly as possible when all of the following criteria are met:

- 27 (1) The child is 17 years of age or ~~younger; younger.~~
 28 (2) ~~The~~ If abduction is ~~not known or~~ suspected to be by a parent of the child,
 29 ~~unless the child's life is~~ must be suspected to be in imminent danger of serious
 30 ~~injury or death; death.~~
 31 (3) The child is ~~believed;~~ believed (i) to have been abducted and (ii) to be in danger
 32 of injury or death.
 33 a. ~~To have been abducted, or~~
 34 b. ~~To be in danger of injury or death;~~
 35 (4) The child is not a runaway or voluntarily ~~missing; and~~ missing.
 36 (5) The abduction has been reported to and investigated by a law enforcement
 37 agency.

38 If the abduction of the child is known or suspected to be by a parent of the child, the Center,
 39 in its discretion, may disseminate information through the AMBER Alert System if the child is
 40 believed to be in danger of injury or death.

41 ...

42 (f) The ~~Department of Public Safety, State Highway Patrol,~~ on behalf of the Center, may
 43 accept grants, contributions, devises, and gifts, which shall be kept in a separate fund, which shall
 44 be nonreverting, and shall be used to fund the operations of the Center and the AMBER Alert
 45 System.

46 **"§ 143B-1772. North Carolina ~~Missing Endangered System~~ Silver Alert established.**

47 (a) There is established within the North Carolina Center for Missing Persons the ~~Missing~~
 48 ~~Endangered System—Silver Alert.~~ The purpose of the ~~Missing Endangered System—Silver Alert~~
 49 is to provide a statewide system for the rapid dissemination of information regarding a missing
 50 person ~~or missing child~~ aged 65 or older who is believed to be suffering from dementia,
 51 Alzheimer's disease, or a cognitive impairment ~~that, in light of the person's or child's missing~~

1 status, requires the person or child to be protected from potential abuse or other physical harm,
2 neglect, or exploitation, that causes an irreversible deterioration of intellectual faculties that
3 makes them unable to meet their own needs or to seek help without assistance.

4 (b) If the Center or a law enforcement agency receives a request that involves a missing
5 person ~~or missing child~~ as described in subsection (a) of this section, and at the time of receipt
6 no more than 72 hours have passed since the person ~~or child~~ went missing, the Center ~~or law~~
7 ~~enforcement agency~~ shall issue an alert providing for rapid dissemination of information
8 statewide regarding the missing ~~person or missing child~~ person. The Center ~~or law enforcement~~
9 ~~agency~~ shall make every effort to disseminate the information as quickly as possible when the
10 person's ~~or child's~~ status as missing has been reported to a law enforcement ~~agency~~ agency,
11 including procedures for the use of the Wireless Emergency Alert.

12 (c) The Center ~~and all law enforcement agencies~~ shall adopt guidelines and develop
13 procedures for issuing ~~an a 90-day alert~~ for missing persons ~~and missing children~~ as described in
14 subsection (a) of this section and shall provide education and training to encourage radio and
15 television broadcasters to participate in the alert. The guidelines and procedures shall ensure that
16 specific health information about the missing person ~~or missing child~~ is not made public through
17 the alert or otherwise.

18 (d) The Center ~~and all law enforcement agencies~~ shall consult with the Department of
19 Transportation and develop a procedure for the use of overhead permanent changeable message
20 signs to provide information on the missing person ~~or missing child~~ meeting the criteria of this
21 section when information is available that would enable motorists to assist in the recovery of the
22 missing ~~person or missing child~~ person. The Center and the Department of Transportation shall
23 develop guidelines for the content, length, and frequency of any message to be placed on an
24 overhead permanent changeable message sign.

25 **"§ 143B-1773. North Carolina Blue Alert System established.**

26 ...

27 (c) The Center shall adopt guidelines and develop procedures for the statewide
28 implementation of the Blue Alert System and shall provide education and training to encourage
29 radio and television broadcasters to participate in the ~~alert~~ alert, including procedures for the use
30 of the Emergency Alert System and the Wireless Emergency Alert.

31 ...

32 **"§ 143B-1774. North Carolina Missing Endangered Alert established.**

33 (a) There is established within the North Carolina Center for Missing Persons the Missing
34 Endangered Alert. The purpose of the Missing Endangered Alert is to provide a statewide system
35 for the rapid dissemination of information regarding a missing person, aged 64 or younger, or
36 missing child who is believed to be suffering from dementia, Alzheimer's disease, or a cognitive
37 impairment that causes an irreversible deterioration of intellectual faculties that makes them
38 unable to meet their own needs or to seek help without assistance and that is not a risk to the
39 general public.

40 (b) If the Center receives a request that involves a missing person or missing child as
41 described in subsection (a) of this section, and at the time of receipt no more than 72 hours have
42 passed since the person or child went missing, the Center shall issue an alert providing for rapid
43 dissemination of information statewide regarding the missing person or missing child. The Center
44 shall make every effort to disseminate the information as quickly as possible when the person's
45 or child's status as missing has been reported to a law enforcement agency, including procedures
46 for the use of the Wireless Emergency Alert.

47 (c) The Center shall adopt guidelines and develop procedures for issuing a 90-day alert
48 for missing persons and missing children as described in subsection (a) of this section and shall
49 provide education and training to encourage radio and television broadcasters to participate in
50 the alert. The guidelines and procedures shall ensure that specific health information about the
51 missing person or missing child is not made public through the alert or otherwise.

1 (d) The Center shall consult with the Department of Transportation and develop a
2 procedure for the use of overhead permanent changeable message signs to provide information
3 on the missing person or missing child meeting the criteria of this section when information is
4 available that would enable motorists to assist in the recovery of the missing person or missing
5 child. The Center and the Department of Transportation shall develop guidelines for the content,
6 length, and frequency of any message to be placed on an overhead permanent changeable
7 message sign.

8 **"§ 143B-1775. North Carolina Ashanti Alert established.**

9 (a) There is established within the North Carolina Center for Missing Persons the Ashanti
10 Alert. The purpose of the Ashanti Alert is to provide a statewide system for the rapid
11 dissemination of information regarding a missing person over 18 years of age that is suspected
12 to have been abducted and there is both abductor and vehicle information available.

13 (b) If the Center receives a request that involves a missing person as described in
14 subsection (a) of this section, and at the time of receipt no more than 72 hours have passed since
15 the person went missing, the Center shall issue an alert providing for rapid dissemination of
16 information statewide regarding the missing person. The Center shall make every effort to
17 disseminate the information as quickly as possible when the person's status as missing has been
18 reported to a law enforcement agency, including procedures for the use of the Emergency Alert
19 System and the Wireless Emergency Alert.

20 (c) The Center shall adopt guidelines and develop procedures for issuing a 24-hour alert
21 for missing persons as described in subsection (a) of this section and shall provide education and
22 training to encourage radio and television broadcasters to participate in the alert.

23 (d) The Center shall consult with the Department of Transportation and develop a
24 procedure for the use of overhead permanent changeable message signs to provide information
25 on the missing person or missing child meeting the criteria of this section when information is
26 available that would enable motorists to assist in the recovery of the missing person or missing
27 child. The Center and the Department of Transportation shall develop guidelines for the content,
28 length, and frequency of any message to be placed on an overhead permanent changeable
29 message sign.

30 **"§ 143B-1776. North Carolina Missing – Weather Alert established.**

31 (a) There is established within the North Carolina Center for Missing Persons the Missing
32 – Weather Alert. The purpose of the Missing – Weather Alert is to provide a statewide system
33 for the rapid dissemination of information regarding a missing person or child that is missing
34 during times of extreme heat or cold and is not in a vehicle, or immediately following a significant
35 weather event.

36 (b) If the Center receives a request that involves a missing person as described in
37 subsection (a) of this section, and at the time of receipt no more than 72 hours have passed since
38 the person went missing, the Center shall issue an alert providing for rapid dissemination of
39 information statewide regarding the missing person. The Center shall make every effort to
40 disseminate the information as quickly as possible, including procedures for the use of the
41 Wireless Emergency Alert.

42 (c) The Center shall adopt guidelines and develop procedures for issuing a 30-day alert
43 for missing persons as described in subsection (a) of this section and shall provide education and
44 training to encourage radio and television broadcasters to participate in the alert."

45 **SECTION 5.1.(e)** The State Highway Patrol shall adopt rules, or amendments to
46 rules, consistent with the provisions of this act. The State Highway Patrol may use the procedure
47 set forth in G.S. 150B-21.1 to adopt or amend any rules as required under this section.

48
49 **TRANSFER PERSONNEL FROM THE DEPARTMENT OF PUBLIC SAFETY AND**
50 **THE DEPARTMENT OF INFORMATION TECHNOLOGY TO THE STATE**
51 **HIGHWAY PATROL**

1 **SECTION 5.2.(a)** The following positions, including the salaries, property, and
 2 other funds allocated for the positions, are transferred from the Department of Public Safety to
 3 the State Highway Patrol:

<u>Position</u>	<u>Position Number</u>
4 Engineering Director	60000986
5 User Support Tech I	60056437
6 Payroll Clerk V	60056477
7 Accountant	60056455
8 Accounting Technician	60056412
9 Accounting Technician	60000910
10 Services/Commodities Manager	60056501
11 SBI Procurement Specialist III	60056404
12 Workers Compensation Program Assistant	60089565
13 Employee Relations Consultant	60056301
14 Manager Salary Administration and Employee	
15 Records	60056266
16 Class and Compensation Consultant Lead	60001077
17 HR Benefits Manager	60056274
18 Disability/Retirement Case Specialist	60056291
19 Salary Administration Consultant	60056275
20 Communications/Public Records Assistant	60076657
21 Digital Media Specialist	65012539
22 Graphic Designer II	65015611
23 Photographer	60084644
24 Dep Director of Comms and Digital Media	60084504
25 Public Information Officer (Videographer)	65027787
26 Assistant General Counsel	65025204

27 **SECTION 5.2.(b)** The following positions, including the salaries, property, and
 28 other funds allocated for the positions, are transferred from the Department of Information
 29 Technology to the State Highway Patrol:

<u>Position</u>	<u>Position Number</u>
30 User Support Specialist	60093567
31 Network Engineer	60089745
32 Application Systems Specialist	60056201
33 User Support Analyst	65000712
34 User Support Analyst	60089766
35 User Support Analyst	60056165

36
 37
 38
 39 **TRANSFER CERTAIN NON-SWORN PERSONNEL FROM THE LICENSE AND**
 40 **THEFT BUREAU OF THE DEPARTMENT OF TRANSPORTATION TO THE STATE**
 41 **HIGHWAY PATROL**

42 **SECTION 5.3.** The following positions, including the salaries, property, and other
 43 funds allocated for the positions, are transferred from the Department of Transportation, Division
 44 of Motor Vehicles License and Theft Bureau, to the State Highway Patrol:

<u>Position</u>	<u>Position Number</u>
45 Program Coordinator III	60030052
46 Administrative Specialist II	60030907
47 Administrative Specialist I	60031075
48 Program Analyst I	60031189
49 Program Analyst I	60031341
50 Administrative Specialist II	60029790

1	Administrative Specialist I	60031033
2	Program Coordinator II	60030760
3	Program Coordinator II	60030921
4	Electronics Technician II	60030924
5	Administrative Specialist I	60030909
6	Program Coordinator III	60092620
7	Program Coordinator III	60030920
8	Program Coordinator III	60030933
9	Program Coordinator III	60090052
10	Program Supervisor I	60092613
11	Program Supervisor I	60092614
12	Program Coordinator III	60092615
13	Program Coordinator III	60092616
14	Program Coordinator III	60092617
15	Program Coordinator III	60092618
16	Program Coordinator III	60092619
17	Program Coordinator III	60030904
18	Program Coordinator III	60092622
19	Program Coordinator III	60092623
20	Program Coordinator III	60092625
21	Program Coordinator III	60092626
22	Program Coordinator III	60092627
23	Program Coordinator I	60029918
24	Program Supervisor I	60030890
25	Program Coordinator III	60030922
26	Program Coordinator I	60031074
27	Program Coordinator I	60031114
28	Program Coordinator I	60031142
29	Program Coordinator I	60031143
30	Administrative Specialist I	60030847
31	Program Coordinator III	60030894
32	Administrative Specialist I	60030899
33	Program Supervisor I	60030917
34	Administrative Specialist I	60030934
35	Administrative Specialist I	60031312
36	Program Coordinator III	65037940
37	Program Coordinator III	65037942
38	Program Supervisor I	65037786
39	Program Coordinator III	65037941
40	Program Supervisor I	60030929
41	Program Coordinator III	60030844
42	Program Coordinator I	60030893
43	Program Coordinator III	60030898
44	Program Coordinator III	60031077
45	Program Coordinator I	60031284
46	Program Coordinator I	60031320
47	Program Coordinator III	60030916
48	Program Coordinator III	60030905
49	Program Coordinator III	60092628
50	Program Coordinator III	60092629
51	Administrative Specialist I	60030937

1	Administrative Specialist I	60030962
2	Administrative Specialist I	60029801
3	Administrative Specialist I	60031024
4	Administrative Specialist I	60030997
5	Administrative Specialist I	60031026
6	Administrative Specialist I	60030996
7	Administrative Specialist I	60031140
8	Administrative Specialist I	60030995
9	Administrative Specialist I	60031193
10	Program Coordinator III	60031112
11	Program Coordinator III	60031115
12	Administrative Specialist I	60031076

PART VI. GENERAL GOVERNMENT

VARIOUS DIRECTED GRANT REVISIONS

SECTION 6.1. Section 6.1(a) of S.L. 2024-1, as amended by Section 2E.1(a) of S.L. 2024-57, reads as rewritten:

"**SECTION 6.1(a)** Notwithstanding any provision of S.L. 2023-134 or the Committee Report referenced in Section 43.2 of that act to the contrary, the following directed grants to be allocated by the Office of State Budget and Management – Special Appropriations for the 2023-2024 fiscal year are amended as follows:

...

(2) The directed grant to the Banner American Legion Auxiliary Unit #109, Inc., in the sum of one hundred twenty-five thousand dollars (\$125,000) in nonrecurring funds for the 2023-2024 fiscal year shall ~~instead not be provided to Banner Post 109, Incorporated.~~Incorporated, but shall be provided to Banner American Legion Auxiliary Unit #109, Inc., as provided in S.L. 2023-134.

...

(37) Budgeted receipts from the ARPA Temporary Savings Fund to provide additional funds to Wake Forest Institute for Regenerative Medicine in the sum of five million dollars (\$5,000,000) in nonrecurring funds for each fiscal year of the 2023-2025 fiscal biennium shall ~~instead not be provided to RegenMed Development Organization, a 501(c)3 organization.~~organization but shall be provided to Wake Forest Institute for Regenerative Medicine as provided in S.L. 2023-134.

...

(48) The directed grant to Greater Rocky Mount Family Medical Center, Inc., in the sum of three hundred fifty thousand dollars (\$350,000) in nonrecurring funds for the 2023-2024 fiscal year to expand dental and behavioral health services shall instead be provided to the Opportunities Industrialization Center, Incorporated, of Rocky Mount.

(49) The directed grant to Open Door Ministries of High Point Foundation, Inc., in the sum of five hundred thousand dollars (\$500,000) in nonrecurring funds for the 2023-2024 fiscal year shall instead be provided to Open Door Ministries of High Point, Inc.

(50) The directed grant to the Union County Schools in the sum of eight million dollars (\$8,000,000) in nonrecurring funds for the 2023-2024 fiscal year for an athletic facility and related equipment shall not revert on June 30, 2026, but shall remain available until June 30, 2028.

1 (51) The directed grant to the Gray's Creek Ruritan Club 516 in the sum of two
2 hundred forty-five thousand dollars (\$245,000) in nonrecurring funds for the
3 2023-2024 fiscal year to support its mission of community improvement shall
4 not be provided to the Gray's Creek Ruritan Club 516 but instead shall be
5 provided as follows:

- 6 a. Sixty-five thousand dollars (\$65,000) to the Kidsville News! Literacy
7 and Education Foundation, Inc., for the Summer Reading, Literacy,
8 and Education Program.
9 b. One hundred eighty thousand dollars (\$180,000) to the North Carolina
10 Human Trafficking Commission for the WORTH Court to support
11 mental health and substance abuse services for human trafficking
12 survivors in Cumberland County."

13
14 **UNDERINSURED MOTORIST INSURANCE AMENDMENT EFFECTIVE DATE**
15 **TECHNICAL CORRECTION**

16 **SECTION 6.2.** Section 8 of S.L. 2024-29 is amended by adding a new subsection to
17 read:

18 "SECTION 8.(d) Subsection (a) of this section becomes effective July 1, 2025, and applies
19 to policies issued or renewed on or after that date."

20
21 **ASSIGN SPACE IN THE ARCHDALE BUILDING TO THE STATE HIGHWAY**
22 **PATROL**

23 **SECTION 6.3.** The Department of Administration shall reassign the office space on
24 the second and fourth floors of the Archdale Building located in Raleigh, North Carolina, to the
25 State Highway Patrol. All equipment, furnishings, and other fixtures located on the second and
26 fourth floors of the Archdale Building as of the effective date of this section and owned by the
27 State shall remain on the second and fourth floors of the Archdale Building for use by the State
28 Highway Patrol. Nothing in this section shall be construed as prohibiting the disposal, removal,
29 or replacement of the equipment, furnishings, and other fixtures described in this section after
30 the State Highway Patrol has moved into the space described in this section.

31
32 **PART VII. STATEWIDE**

33
34 **SCIF GRANT CHANGES**

35 **SECTION 7.1.(a)** Section 40.8(a) of S.L. 2023-134, as enacted by Section 9.1(a) of
36 S.L. 2024-1, is amended by adding a new subdivision to read:

37 "(4) The funding allocated to the City of Charlotte in the sum of seventeen million
38 five hundred thousand dollars (\$17,500,000) for the 2023-2024 fiscal year and
39 the sum of two million five hundred thousand dollars (\$2,500,000) for the
40 2024-2025 fiscal year shall instead be used to provide grants to the following
41 entities and purposes:

- 42 a. Five million dollars (\$5,000,000) to Appalachian State University to
43 be used for the renovation project at Edwin Duncan Hall.
44 b. One million five hundred thousand dollars (\$1,500,000) to
45 Appalachian State University to be used for the renovation project at
46 Wey Hall.
47 c. Two million five hundred thousand dollars (\$2,500,000) to
48 Appalachian State University to be used for the addition and
49 renovation project at Peacock Hall.
50 d. Four million one hundred thousand dollars (\$4,100,000) to Wayne
51 County for a capital project at Rosewood Middle School.

- 1 e. Two hundred fifty thousand dollars (\$250,000) to The Hudson
- 2 Volunteer Fire Department, Inc., to be used for capital improvements
- 3 and equipment.
- 4 f. Two million dollars (\$2,000,000) to North Catawba Fire-Rescue
- 5 Department, Inc., to be used for capital improvements and equipment.
- 6 g. Three hundred twenty-five thousand dollars (\$325,000) to Grace
- 7 Chapel Volunteer Fire Department, Inc., to be used for capital
- 8 improvements and equipment.
- 9 h. Two million dollars (\$2,000,000) to the City of Lenoir to be used for
- 10 Harpers Avenue Area infrastructure improvements.
- 11 i. One hundred ten thousand dollars (\$110,000) to King's Creek
- 12 Volunteer Fire Department, Inc., to be used for capital improvements
- 13 and equipment.
- 14 j. Two hundred thousand dollars (\$200,000) to The Gamewell Volunteer
- 15 Fire Department, Inc., to be used for capital improvements and
- 16 equipment.
- 17 k. Two hundred seventy-five thousand dollars (\$275,000) to Caldwell
- 18 County to be used for a new ambulance.
- 19 l. One hundred forty thousand dollars (\$140,000) to Collettsville
- 20 Volunteer Fire Department, Inc., to be used for capital improvements
- 21 and equipment.
- 22 m. Six hundred thousand dollars (\$600,000) to Patterson Fire-Rescue
- 23 Department, Inc., to be used for capital improvements and equipment.
- 24 n. One million dollars (\$1,000,000) to the Town of Hudson for
- 25 downtown infrastructure improvements."

26 **SECTION 7.1.(b)** Section 40.17(a) of S.L. 2021-180, as enacted by Section 9.1(d)
 27 of S.L. 2021-189 and amended by Section 18.1 of S.L. 2022-6, Section 16 of S.L. 2022-11,
 28 Section 40.2 of S.L. 2022-74, Section 40.5(n) of S.L. 2023-134, and Section 9.1(c) of S.L.
 29 2024-1, is amended by adding a new subdivision to read:

30 "(82) The remaining amount of funding allocated to Clay County in the sum of two
 31 million dollars (\$2,000,000) in nonrecurring funds for the 2021-2022 fiscal
 32 year for a new 911 call center may also be used for capital costs and equipment
 33 associated with the construction of a farmers market."

34
 35 **PART VIII. TRANSPORTATION**

36
 37 **BRIDGE NAMING CLARIFICATION**

38 **SECTION 8.1.** Section 41.7 of S.L. 2023-134 reads as rewritten:
 39 "**SECTION 41.7.** Notwithstanding any provision of law to the contrary, the Department of
 40 Transportation shall designate as follows:

- 41 ...
- 42 (3) The bridge on U.S. Highway 74 that crosses over the Catawba River at the
- 43 Mecklenburg County and Gaston County line and is numbered 350091 by the
- 44 Department as the "Representative Dana Bumgardner Bridge."
- 45"

46
 47 **PART IX. FINANCE**

48
 49 **INCENTIVIZE FARMLAND PRESERVATION, FISH AND WILDLIFE**
 50 **CONSERVATION, AND MILITARY BUFFERS**

1 **SECTION 9.1.(a)** G.S. 105-130.34, as enacted by Section 15 of S.L. 2024-32, reads
2 as rewritten:

3 **"§ 105-130.34. Credit for certain real property donations.**

4 (a) ~~Credit.~~ Credit; Ceiling. – Subject to the limitations in this section, a C Corporation
5 that makes a qualified donation of real property located in North Carolina during the taxable year
6 that is useful (i) for forestland or farmland preservation, (ii) for fish and wildlife conservation,
7 (iii) as a buffer to limit land use activities that would restrict, impede, or interfere with military
8 training, testing, or operations on a military installation or training area or otherwise be
9 incompatible with the mission of the installation, (iv) for floodplain protection in a county that,
10 in the five years preceding the donation, was the subject of a Type II or Type III gubernatorial
11 disaster declaration, as provided in G.S. 166A-19.21, as a result of a natural disaster, (v) for
12 historic landscape conservation, or (vi) for public trails or access to public trails is allowed a
13 credit against the tax imposed by this Part equal to twenty-five percent (25%) of the fair market
14 value of the ~~donated property.~~ qualified donation. The aggregate amount of credit allowed to a
15 corporation in a taxable year under this section for one or more qualified donations made during
16 the ~~taxable calendar~~ year, whether made directly or indirectly as an owner of a pass-through
17 entity, may not exceed five hundred thousand dollars (\$500,000). The credit may not be taken
18 for the year in which the qualified donation is made but may be taken ~~for~~ in the taxable year
19 beginning ~~during~~ in the calendar year in which the application for the credit becomes effective
20 as provided in subsection (a2) of this section.

21 (a1) Definitions. – The following definitions apply in this section:

22 (1) Cap remainder. – The amount that is the difference between the maximum
23 amount and the amount of prioritized credit requests allowed.

24 (2) Maximum amount. – The amount set out in subsection (e) of this section that
25 is the total aggregate amount of all credits allowed to taxpayers under this
26 section and G.S. 105-153.11 for qualified donations made in a calendar year.

27 (3) Nonprioritized credit request. – A credit request under this section or
28 G.S. 105-153.11 that is for a qualified donation other than a prioritized
29 donation.

30 (4) Prioritized amount. – The amount set out in subsection (e) of this section that
31 is for prioritized credit requests.

32 (5) Prioritized credit request. – A credit requested under this section or
33 G.S. 105-153.11 that is for a qualified donation for forestland or farmland
34 preservation.

35 (6) Qualified ~~Donation.~~ donation. – A qualified donation ~~of real property~~ is a
36 donation of a real property interest located in North Carolina that meets all of
37 the following conditions:

38 ~~(1)a.~~ It is donated in perpetuity for one of the qualifying
39 following uses listed in subsection (a) of this section and is accepted
40 in perpetuity for the qualifying use for which the qualified real
41 property ~~interest is donated.~~ donated:

42 1. Forestland or farmland preservation.

43 2. Fish or wildlife conservation.

44 3. A buffer to limit land use activities that would restrict, impede,
45 or interfere with military training, testing, or operations on a
46 military installation or training area or otherwise be
47 incompatible with the mission of the installation.

48 4. Floodplain protection in a county that, in the five years
49 preceding the donation, was the subject of a Type II or Type
50 III gubernatorial disaster declaration, as provided in
51 G.S. 166A-19.21, as a result of a natural disaster.

1 5. Historic landscape conservation.

2 6. Public trails or access to public trails.

3 (2)b. ~~The person to whom the property~~ It is donated must be to the State, a
4 local government, or a body that is both organized to receive and
5 administer lands for conservation purposes and qualified to receive
6 charitable contributions pursuant to G.S. 105-130.9. Lands required to
7 be dedicated pursuant to local governmental regulation or ordinance
8 and dedications made to increase building density levels permitted
9 under a regulation or ordinance are not eligible for this credit.

10 (7) Real property interest. – A qualified real property interest as defined in section
11 170(h)(2) of the Code.

12 (8) Total requested credits. – All credits applied for under this section and under
13 G.S. 105-153.11 for all qualified donations made in a calendar year from
14 timely filed applications.

15 (a2) Application. – To claim the credit provided in this section, a corporation must file an
16 application with the Secretary for the credit. The application must be filed on or before April 15
17 of the year following the calendar year in which the donation was made. An application is
18 effective for the year in which it is timely filed. The Secretary may not accept late applications
19 under this subsection. The application must be on a form prescribed by the Secretary and include
20 any information required by the Secretary demonstrating that the donation has met the conditions
21 ~~for qualifying to qualify~~ for the credit, including the following items:

22 (1) A copy of the certification by the Department of Natural and Cultural
23 Resources ~~that identifies~~ identifying which of the valid public benefits listed
24 in ~~subsection (a)~~ subdivision (6) of subsection (a1) of this section for which
25 the donated real property interest is suitable.

26 (2) A self-contained appraisal report or summary appraisal report as defined in
27 Standards Rule 2-2 in the latest edition of the Uniform Standards of
28 Professional Appraisal Practice as promulgated by the Appraisal Foundation
29 for the donated ~~property~~ real property interest. For fee simple absolute
30 donations of real property, a corporation may submit documentation of the
31 county's appraised value of the donated real property, as adjusted by the sales
32 assessment ratio, in lieu of an appraisal report.

33 (a3) Substantiation. – A corporation claiming a credit under this section must maintain and
34 make available for inspection by the Secretary any records the Secretary considers necessary to
35 determine and verify the amount of the credit allowed to which the corporation is entitled.
36 corporation. The burden of proving eligibility for the credit and the amount of the credit rests
37 upon the corporation, and no credit may be allowed to a corporation that fails to maintain
38 adequate records or to make them available for inspection.

39 (b) Limitation. – The credit allowed by this section may not exceed the amount of tax
40 imposed by this Part for the taxable year reduced by the sum of all credits allowed, except
41 payments of tax made by or on behalf of the corporation.

42 (c) Carryforward. – Any unused portion of ~~this~~ the credit allowed may be carried forward
43 for the next succeeding five years.

44 (d) No Double Benefit. – ~~That portion of a qualifying~~ A qualified donation that is the
45 basis for a credit allowed under this section is not eligible for deduction as a charitable
46 contribution under G.S. 105-130.9.

47 (e) Ceiling; Use Aggregate Cap; Allocation. – ~~The total aggregate maximum~~ amount of
48 all credits allowed to taxpayers under this section and G.S. 105-153.11 for qualified donations
49 made ~~in a taxable year~~ may not exceed five million dollars (\$5,000,000), of which three million
50 two hundred fifty thousand dollars (\$3,250,000) is ~~reserved for credits to taxpayers that have~~
51 ~~made a qualified donation of real property for forestland or farmland conservation. If funds~~

1 reserved for credits for qualified donations of real property for forestland or farmland
2 conservation remain after disposition of all timely filed applications for that type of credit, the
3 Secretary shall allocate any funds remaining to credits for other types of qualified donations
4 under this section. The Secretary shall, first, fully fund any prorated credits in accordance with
5 subsection (f) of this section and, second, if funds remain after fully funding prorated credits,
6 reopen the application period for credits under this section for which funds have become
7 available. If the Secretary reopens the application period and notwithstanding the application
8 deadline in subsection (a2) of this section, the additional applications must be filed with the
9 Secretary on or before October 15 of the year following the calendar year in which the donation
10 was made. The Secretary may not accept late additional applications permitted under this
11 subsection. The Secretary's determinations based on additional applications timely filed in
12 accordance with this subsection are final. a prioritized amount. If the total requested credits are
13 equal to or less than the maximum amount, the Secretary shall allow the total requested credits.
14 If the total requested credits are greater than the maximum amount, the Secretary shall allocate
15 the total requested credits in accordance with subsection (f) of this section.

16 (f) Reduction. – ~~The Secretary shall calculate the total amount of credits claimed from~~
17 ~~applications timely filed under subsection (a2) of this section. If the total amount of requested~~
18 ~~credits claimed for donations made in a calendar year exceeds this exceed the maximum amount,~~
19 ~~the Secretary shall allow a portion of prorate the total requested credits claimed by allocating the~~
20 ~~maximum amount in credits in proportion to the size of the credit claimed by each taxpayer. in~~
21 ~~accordance with this subsection. If a requested credit claimed under this section is reduced as~~
22 ~~provided in this subsection, the Secretary shall notify the corporation of the amount of the~~
23 ~~reduction of the credit on or before December 31 of the year following the calendar year in which~~
24 ~~the qualified donation was made. The Secretary's allocations based on applications filed under~~
25 ~~subsection (a2) of this section are final and shall not be adjusted to account for credits applied~~
26 ~~for requested but not claimed, reduced under this subsection. The total requested credits shall be~~
27 ~~reduced as follows:~~

28 (1) If the total requested credits are (i) all prioritized credit requests or (ii) all
29 nonprioritized credit requests, then the Secretary shall prorate the total
30 requested credits based on the proportion of each requested credit to the total
31 requested credits.

32 (2) If the total requested credits are (i) a combination of prioritized credit requests
33 and nonprioritized credit requests and (ii) the amount of prioritized credit
34 requests is equal to or less than the prioritized amount, the Secretary shall first
35 allow the prioritized credit requests. The Secretary shall then prorate the cap
36 remainder based on the proportion of each of the remaining requested credits
37 to the total requested credits less the prioritized amount.

38 (3) If the total amount of requested credits is (i) a combination of prioritized credit
39 requests and nonprioritized credit requests and (ii) the amount of prioritized
40 credit requests is greater than the prioritized amount, the Secretary shall first
41 prorate the prioritized credit requests based on the proportion of each
42 prioritized credit request to the prioritized amount. The Secretary shall then
43 prorate the cap remainder, including the remainder of any prioritized credit
44 requests, based on the proportion of each of the remaining requested credits
45 to the total requested credits less the prioritized amount.

46 (g) Report. – The Department must include in the economic incentives report required by
47 G.S. 105-256 the following information:

- 48 (1) The number of C Corporations that took the credit allowed under this section.
49 (2) The total amount of credits claimed by ~~conservation purpose~~ public benefit as
50 listed in subdivision (6) of subsection (a1) of this section.
51 (3) The total amount of credits carried forward.

(4) The total cost to the General Fund of the credits taken."

SECTION 9.1.(b) G.S. 105-153.11, as enacted by Section 15 of S.L. 2024-32, reads as rewritten:

"§ 105-153.11. Credit for certain real property donations.

(a) Credit. – Subject to the limitations in this section, an individual or a pass-through entity that makes a qualified donation of real property located in North Carolina during the taxable year that is useful (i) for forestland or farmland preservation, (ii) for fish and wildlife conservation, (iii) as a buffer to limit land use activities that would restrict, impede, or interfere with military training, testing, or operations on a military installation or training area or otherwise be incompatible with the mission of the installation, (iv) for floodplain protection in a county that, in the five years preceding the donation, was the subject of a Type II or Type III gubernatorial disaster declaration, as provided in G.S. 166A-19.21, as a result of a natural disaster, (v) for historic landscape conservation, or (vi) for public trails or access to public trails is allowed a credit against the tax imposed by this Part equal to twenty-five percent (25%) of the fair market value of the donated property. qualified donation. The credit may not be taken for the year in which the qualified donation is made but may be taken ~~for in~~ the taxable year beginning ~~during in~~ the calendar year in which the application for the credit becomes effective as provided in subsection (a2) of this section.

(a1) Definitions. – The following definitions apply in this section:

(1) Cap remainder. – The amount that is the difference between the maximum amount and the amount of prioritized credit requests allowed.

(2) Maximum amount. – The amount set out in subsection (g) of this section that is the total aggregate amount of all credits allowed to taxpayers under this section and G.S. 105-130.34 for qualified donations made in a calendar year.

(3) Nonprioritized credit request. – A credit request under this section or G.S. 105-130.34 that is for a qualified donation other than a prioritized donation.

(4) Prioritized amount. – The amount set out in subsection (g) of this section that is for prioritized credit requests.

(5) Prioritized credit request. – A credit requested under this section or G.S. 105-130.34 that is for a qualified donation for forestland or farmland preservation.

(6) Qualified Donation. ~~donation.~~ – A qualified donation of real property is a donation of a real property interest located in North Carolina that meets all of the following conditions:

(1)a. ~~The property~~ It is donated in perpetuity for one of the ~~qualifying following uses listed in subsection (a) of this section~~ and is accepted in perpetuity for the ~~qualifying~~ use for which the real property interest is ~~donated~~ donated:

1. Forestland or farmland preservation.

2. Fish or wildlife conservation.

3. A buffer to limit land use activities that would restrict, impede, or interfere with military training, testing, or operations on a military installation or training area or otherwise be incompatible with the mission of the installation.

4. Floodplain protection in a county that, in the five years preceding the donation, was the subject of a Type II or Type III gubernatorial disaster declaration, as provided in G.S. 166A-19.21, as a result of a natural disaster.

5. Historic landscape conservation.

6. Public trails or access to public trails.

1 ~~(2)b.~~ ~~The person to whom the property~~ It is donated must be to the State, a
2 local government, or a body that is both organized to receive and
3 administer lands for conservation purposes and qualified to receive
4 charitable contributions under the Code. Lands required to be
5 dedicated pursuant to local governmental regulation or ordinance and
6 dedications made to increase building density levels permitted under a
7 regulation or ordinance are not eligible for this credit.

8 (7) Real property interest. – A qualified real property interest as defined in section
9 170(h)(2) of the Code.

10 (8) Taxed pass-through entity. – As defined in G.S. 105-153.3.

11 (9) Total requested credits. – All credits applied for under this section and under
12 G.S. 105-130.34 for all qualified donations made in a calendar year from
13 timely filed applications.

14 (a2) Application. – To claim a credit allowed under this section, an individual or a
15 pass-through entity must file an application with the Secretary for the credit. The application
16 must be filed on or before April 15 of the year following the calendar year in which the donation
17 was made. An application is effective for the year in which it is timely filed. The Secretary may
18 not accept late applications under this subsection. The application must be on a form prescribed
19 by the Secretary and include any information required by the Secretary demonstrating that the
20 donation has met the conditions ~~for qualifying to qualify~~ for the credit, including the following
21 items:

22 (1) A copy of the certification by the Department of Natural and Cultural
23 Resources ~~that identifies~~ identifying which of the valid public benefits listed
24 in ~~subsection (a) subdivision (6) of subsection (a1)~~ of this section for which
25 the donated real property interest is suitable. The certification for a qualified
26 donation made by a pass-through entity must be filed by the pass-through
27 entity.

28 (2) A self-contained or summary appraisal report as defined in Standards Rule
29 2-2 in the latest edition of the Uniform Standards of Professional Appraisal
30 Practice as promulgated by the Appraisal Foundation for the donated ~~property.~~
31 real property interest. For fee simple absolute donations of real property, an
32 individual or pass-through entity may submit documentation of the county's
33 appraised value of the donated real property, as adjusted by the sales
34 assessment ratio, in lieu of an appraisal report.

35 (a3) Substantiation. – An individual or pass-through entity claiming a credit under this
36 section must maintain and make available for inspection by the Secretary any records the
37 Secretary considers necessary to determine and verify the amount of the credit allowed to ~~which~~
38 ~~the taxpayer is entitled.~~ individual or the pass-through entity. The burden of proving eligibility
39 for the credit and the amount of the credit rests upon the individual or pass-through entity, and
40 no credit may be allowed to an individual or pass-through entity that fails to maintain adequate
41 records or to make them available for inspection.

42 (a4) Credit Ceiling for Individuals. – The aggregate amount of credit allowed to an
43 individual in a taxable year under this section for one or more qualified ~~donations made during~~
44 ~~the taxable year, donations,~~ whether made directly or indirectly as owner of a pass-through entity,
45 may not exceed two hundred fifty thousand dollars (\$250,000). In the case of property owned by
46 a married couple, if both spouses are required to file North Carolina income tax returns, the credit
47 allowed by this section may be claimed only if the spouses file a joint return. The aggregate
48 amount of credit allowed to a married couple filing a joint tax return may not exceed five hundred
49 thousand dollars (\$500,000). If only one spouse is required to file a North Carolina income tax
50 return, that spouse may claim the credit allowed by this section on a separate return.

1 (a5) ~~Credit Ceiling for Pass-Through Entity-Entities.~~ – The aggregate amount of credit
2 allowed to a pass-through entity in a taxable year under this section for one or more qualified
3 ~~donations made during the taxable year, donations,~~ whether made directly or indirectly as owner
4 of another pass-through entity, may not exceed five hundred thousand dollars (\$500,000). Each
5 individual who is an owner of a pass-through entity is allowed as a credit an amount equal to the
6 owner's allocated share of the credit to which the pass-through entity is eligible under this
7 subsection, not to exceed two hundred fifty thousand dollars (\$250,000). Each corporation that
8 is an owner of a pass-through entity is allowed as a credit an amount equal to the owner's allocated
9 share of the credit to which the pass-through entity is eligible under this subsection, not to exceed
10 five hundred thousand dollars (\$500,000). If an owner's share of the pass-through entity's credit
11 is limited due to the maximum allowable credit under this section for a taxable year, the
12 pass-through entity and its owners may not reallocate the unused credit among the other owners.

13 (a6) ~~Taxed Pass-Through Entity-Entities.~~ – A taxed pass-through entity that engages in
14 an activity that makes it eligible for a credit under this section as an entity may not take the credit
15 at the entity level but must pass through to each of its owners the owner's distributive share of
16 the credit for which the taxed pass-through entity qualifies. Maximum dollar limits and other
17 limitations that apply in determining the amount of credit available to an owner of a pass-through
18 entity apply to the same extent in determining the amount of a credit for which the taxed
19 pass-through entity qualifies. ~~For purposes of this subsection, the term "taxed pass-through~~
20 ~~entity" is as defined in G.S. 105-153.3.~~

21 (b) ~~Limitation.~~ – The credit allowed by this section may not exceed the amount of tax
22 imposed by this Part for the taxable year reduced by the sum of all credits allowed, except
23 payments of tax made by or on behalf of the ~~taxpayer individual or pass-through entity.~~

24 (c) ~~Carryforward.~~ – Any unused portion of ~~this the credit allowed~~ may be carried forward
25 for the next succeeding five years.

26 (d) ~~No Double Benefit.~~ – ~~That portion of a qualifying~~ A qualified donation that is the
27 basis for a credit allowed under this section is not eligible for deduction as a charitable
28 contribution under G.S. 105-153.5(a)(2)a.

29 (e) Repealed by Session Law 2024-32, s. 15, effective for taxable years beginning on or
30 after January 1, 2025.

31 (f) Repealed by Session Laws 2007-309, s. 2, effective for taxable years beginning on or
32 after January 1, 2007.

33 (g) ~~Ceiling; Use Aggregate Cap; Allocation.~~ – The ~~total aggregate maximum~~ amount of
34 all tax credits allowed to taxpayers under this section and ~~G.S. 105-130.4~~ G.S. 105-130.34 for
35 qualified donations made in a ~~taxable calendar~~ year may not exceed five million dollars
36 (\$5,000,000), of which three million two hundred fifty thousand dollars (\$3,250,000) is ~~reserved~~
37 ~~for credits to taxpayers that have made a qualified donation of real property for forestland or~~
38 ~~farmland conservation. If funds reserved for credits for qualified donations of real property for~~
39 ~~forestland or farmland conservation remain after disposition of all timely filed applications for~~
40 ~~that type of credit, the Secretary shall allocate any funds remaining to credits for other types of~~
41 ~~qualified donations under this section. The Secretary shall, first, fully fund any prorated credits~~
42 ~~in accordance with subsection (f) of this section and, second, if funds remain after fully funding~~
43 ~~prorated credits, reopen the application period for credits under this section for which funds have~~
44 ~~become available. If the Secretary reopens the application period and notwithstanding the~~
45 ~~application deadline in subsection (a2) of this section, the additional applications must be filed~~
46 ~~with the Secretary on or before October 15 of the year following the calendar year in which the~~
47 ~~donation was made. The Secretary may not accept late additional applications permitted under~~
48 ~~this subsection. The Secretary's determinations based on additional applications timely filed in~~
49 ~~accordance with this subsection are final a prioritized amount. If the total requested credits are~~
50 ~~equal to or less than the maximum amount, the Secretary shall allow the total requested credits.~~

1 If the total requested credits are greater than the maximum amount, the Secretary shall allocate
2 the total requested credits in accordance with subsection (h) of this section.

3 (h) ~~The Secretary of Revenue shall calculate the total amount of credits~~
4 ~~claimed from applications timely filed under subsection (a2) of this section. If the total amount~~
5 ~~of requested credits claimed for donations made in a calendar year exceeds this exceed the~~
6 ~~maximum amount, the Secretary shall allow a portion of prorate the total requested credits~~
7 ~~claimed by allocating the maximum amount in tax credits in proportion to the size of the credit~~
8 ~~claimed by each individual or pass-through entity. in accordance with this subsection. If a~~
9 ~~requested credit claimed under this section is reduced as provided in this subsection, the Secretary~~
10 ~~shall notify the individuals or pass-through entities of the amount of the reduction of the credit~~
11 ~~on or before December 31 of the year following the calendar year in which the qualified donation~~
12 ~~was made. The Secretary's allocations based on applications filed under subsection (a2) of this~~
13 ~~section are final and shall not be adjusted to account for credits applied for requested but not~~
14 ~~claimed. reduced under this subsection. The total requested credits shall be reduced as follows:~~

15 (1) If the total requested credits are (i) all prioritized credit requests or (ii) all
16 nonprioritized credit requests, then the Secretary shall prorate the total
17 requested credits based on the proportion of each requested credit to the total
18 requested credits.

19 (2) If the total requested credits are (i) a combination of prioritized credit requests
20 and nonprioritized credit requests and (ii) the amount of prioritized credit
21 requests is equal to or less than the prioritized amount, the Secretary shall first
22 allow the prioritized credit requests. The Secretary shall then prorate the cap
23 remainder based on the proportion of each of the remaining requested credits
24 to the total requested credits less the prioritized amount.

25 (3) If the total amount of requested credits is (i) a combination of prioritized credit
26 requests and nonprioritized credit requests and (ii) the amount of prioritized
27 credit requests is greater than the prioritized amount, the Secretary shall first
28 prorate the prioritized credit requests based on the proportion of each
29 prioritized credit request to the prioritized amount. The Secretary shall then
30 prorate the cap remainder, including the remainder of any prioritized credit
31 requests, based on the proportion of each of the remaining requested credits
32 to the total requested credits less the prioritized amount.

33 (i) Report. – The Department must include in the economic incentives report required by
34 G.S. 105-256 the following information:

35 (1) The number of individuals and pass-through entities that took the credit
36 allowed under this section.

37 (2) The total amount of credits claimed by ~~conservation purpose~~ public benefit as
38 listed in subdivision (6) of subsection (a1) of this section.

39 (3) The total amount of credits carried forward.

40 (4) The total cost to the General Fund of the credits taken."

41 **SECTION 9.1.(c)** This section is effective for taxable years beginning on or after
42 January 1, 2025, for donations made on or after January 1, 2025, and expires for taxable years
43 beginning on or after January 1, 2027, for donations made on or after January 1, 2027.

44 **PART X. EFFECTIVE DATE**

45 **SECTION 10.1.** Except as otherwise provided, this act is effective when it becomes
46 law.
47