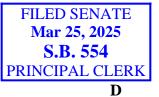
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025



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SENATE BILL DRS45286-MU-2A

	Short Title:	Farmers Protection Act. (Public)	
	Sponsors:	Senators B. Newton and Barnes (Primary Sponsors).	
_	Referred to:		
1		A BILL TO BE ENTITLED	
2	AN ACT	TO ENACT THE FARMERS PROTECTION ACT TO PREVENT	
3	DISCRIMINATION IN FINANCING AGAINST FARMERS.		
4	The General	l Assembly of North Carolina enacts:	
5	S	SECTION 1. Article 6 of Chapter 53C of the General Statutes is amended by adding	
6	a new section to read:		
7	" <u>§ 53C-6-21. Discrimination prohibited.</u>		
8	<u>(a)</u> I	Definitions. – The following definitions apply in this section:	
9	(1) Agriculture producer. – A person engaged in the growing of crops or livestock	
10		production for retail consumption.	
11	(2) ESG commitment. – A bank's decision either to join an initiative or	
12		organization whose purpose is any environmental, social, or governance goal	
13		or to otherwise commit to any environmental, social, or governance goal.	
14	<u>(b)</u> <u>I</u>	Prohibition. – It is unlawful for a bank to deny or cancel its service to an agriculture	
15	producer ba	sed, in whole or in part, upon the agriculture producer's greenhouse gas emissions,	
16	use of fossil	-fuel derived fertilizer, or use of fossil-fuel powered machinery.	
17	<u>(c)</u> <u>I</u>	ESG Commitment. – If a bank has made any ESG commitment related to agriculture,	
18	there is a rel	buttable presumption that the bank's denial or restriction of a service to an agriculture	
19	producer violates this section. A bank may overcome this rebuttable presumption by		
20	demonstrating, through clear and convincing evidence, that its denial or restriction of a service		
21	was based se	olely on documented financial considerations rather than an ESG commitment.	
22		Annual Report. – By January 1 of each year, a bank shall attest, under penalty of	
23	perjury, on a	a form prescribed by the Commissioner, whether the bank is in compliance with this	
24	section.		
25		Enforcement. – If a bank violates this section, the Commissioner may bring a civil	
26		ek an injunction or civil penalty. A court may assess a civil penalty of up to ten	
27		llars (\$10,000) per violation. The clear proceeds of a civil penalty assessed under this	
28		ll be remitted to the Civil Penalty and Forfeiture Fund in accordance with	
29	<u>G.S. 115C-</u>		
30		Unfair or Deceptive Trade Practice. – A violation of this section is an unfair or	
31		ade practice under G.S. 75-1.1."	
32		SECTION 2. G.S. 54B-78 reads as rewritten:	
33	-	Prohibited practices.	
34		Any <u>A</u> person or association who shall engage that engages in any either of the	
35	following ad	cts or practices shall be is guilty of a Class 1 misdemeanor:	



General	Assembly Of North Carolina Session 202		
	(1) Defamation: Making, publishing, disseminating, or circulating, directly or indirectly, or aiding, abetting, or encouraging the making, publishin disseminating, or circulating <u>of of</u> , any oral, written, or printed stateme which that is false regarding the financial condition of any association.		
	(2) False information and advertising: Making, publishing, disseminating, circulating or causing, directly or indirectly, to be made publishe disseminated, circulated, or otherwise placed before the public in an		
	publication, media, notice, pamphlet, letter, poster, or any other way, a		
	advertisement, announcement, or statement containing any assertio		
	representation, or statement with respect to the savings and loan business		
	with respect to any person in the conduct of the savings and loan busine which that is untrue, deceptive, or misleading.		
(b)	<u>The provisions of G.S. 53C-6-21 apply to a State association.</u> "		
<u>(b)</u>	SECTION 3. G.S. 54C-64 reads as rewritten:		
"8 54C -6	4. Prohibited practices.		
(a)	A person who that engages in any either of the following acts or practices is guilty		
	misdemeanor:		
	(1) Defamation: Making, publishing, disseminating, or circulating, directly		
	indirectly, or aiding, abetting, or encouraging the making, publishin disseminating, or circulating of <u>of</u> , any oral, written, or printed statement th		
	is false regarding the financial condition of any savings bank.		
	(2) False information and advertising: Making, publishing, disseminatin		
	circulating, or otherwise placing before the public in any publication, medi notice, pamphlet, letter, poster, or any other way, an advertisemer		
	announcement, or statement containing any assertion, representation,		
	statement with respect to the savings bank business or with respect to an		
	person in the conduct of the savings bank business that is untrue, deceptiv or misleading.		
	(3) Repealed by Session Laws 1997-241, s. 2.		
<u>(b)</u>	The provisions of G.S. 53C-6-21 apply to a State savings bank."		
<u>(0)</u>	SECTION 4. Article 14C of Chapter 54 of the General Statutes is amended by addir		
a new sec	ction to read:		
	"§ 54-109.23. Discrimination prohibited.		
	The provisions of G.S. 53C-6-21 apply to a credit union. A credit union shall submit the		
	annual report described in G.S. 53C-6-21(d) to the Administrator, and the Administrator has the		
	ent authority described in G.S. 53C-6-21(e)."		
	SECTION 5. This act is effective when it becomes law and applies to acts committee		
on or afte	er that date.		