

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 133

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

H133-ABBfa-53 [v.4]

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Amends Title [YES]
Third Edition

Date _____, 2026

Senator Smith

1 moves to amend the bill on page 1, lines 4 through 6, by rewriting the lines to read:

2
3
4 "ENTITIES; TO PROVIDE FOR THE DIVESTMENT OF THOSE LANDS; TO PROVIDE
5 FOR DOCUMENTATION AND REGISTRATION OF LAND OWNERSHIP BY
6 CERTAIN ADVERSARIAL ENTITIES; TO PROVIDE FUNDS TO INVEST IN
7 INITIATIVES TO IMPROVE THE HEALTH AND HABITATS OF THE STATE'S
8 WILDLIFE POPULATIONS; TO SUPPORT SMALL FARMERS IN NORTH CAROLINA
9 BY PROVIDING GRANT FUNDING TO ENSURE THE FUTURE VIABILITY OF
10 NORTH CAROLINA'S FAMILY FARMS; AND TO REQUIRE LOCAL REFERENDA
11 FOR DATA CENTERS.";

12
13
14 and on page 4, lines 17 through 18, by inserting the following between those lines:

15
16
17 "(c1) Any party owning agricultural land subject to this Article must register with the
18 Secretary of State any security interests held by foreign banks, as defined in 31 C.F.R. §1010.100,
19 and must notify the Secretary of State if a prohibited foreign party acquires an ownership interest
20 in the property. The Secretary of State may develop a form for this purpose, and shall notify the
21 Attorney General every 6 months of the registrations under this subsection.";

22
23
24 and on page 6, lines 26 through 31, by rewriting the lines to read:

25
26
27 "**SECTION 5.(a) Purpose and Findings.** – The purpose of this section is as follows:
28 (1) To provide additional funding and awareness of Chronic Wasting Disease in
29 the State's deer population.
30 (2) To enhance wildlife conservation programs, especially northern bobwhite
31 quail habitat restoration and red wolf recovery initiatives.



* H 1 3 3 - A B B F A - 5 3 - V - 4 *

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1 (3) To expand hunting and fishing accessibility through modernized licensing
2 structures and public-private partnerships.

3 (4) To protect rural economies and private landowner rights while supporting
4 voluntary conservation efforts.

5 **SECTION 5.(b)** CWD Monitoring and Incentives. – The sum of five million dollars
6 (\$5,000,000) in nonrecurring funds for the 2026-2027 fiscal year is appropriated from the
7 General Fund to the Wildlife Resources Commission. The Commission will use these funds to
8 expand statewide monitoring, reporting, and mitigation efforts for Chronic Wasting Disease
9 (CWD), including the creation of an incentive program to provide cash bounties to any person
10 reporting a confirmed positive CWD case, a reduced-price hunting license to hunters
11 participating in CWD tracking programs, and grants for research into CWD transmission and
12 mitigation to universities and nonprofit wildlife research entities.

13 **SECTION 5.(c)** Quail Conservation and Habitat Restoration. – The sum of five
14 million dollars (\$5,000,000) in nonrecurring funds for the 2026-2027 fiscal year is appropriated
15 from the General Fund to the Wildlife Resources Commission. The Commission will use these
16 funds to establish a statewide habitat restoration initiative for northern bobwhite quail, to include
17 the following programs:

18 (1) A cost-share grant program to provide matching grants of up to five thousand
19 dollars (\$5,000) to landowners who agree to participate in northern bobwhite
20 quail habitat restoration activities on their lands.

21 (2) A quail translocation program in areas of the State identified by the
22 Commission for reintroduction of northern bobwhite quail.

23 (3) A study regarding sustainable quail hunting regulations by the Commission.
24 The Commission shall provide a report on this study, including any
25 recommendations for funding needs and legislative changes, to the chairs of
26 the House Committee on Wildlife Resources and the chairs of the Senate
27 Committee on Agriculture, Energy, and Environment no later than December
28 1, 2026.

29 **SECTION 5.(d)** Red Wolf Conservation and Rural Landowner Support. – The sum
30 of five million dollars (\$5,000,000) in nonrecurring funds for the 2026-2027 fiscal year is
31 appropriated from the General Fund to the Wildlife Resources Commission. The Commission
32 will use these funds to establish the following initiatives for red wolf conservation and rural
33 landowner support:

34 (1) A cost-share grant program to provide matching grants of up to ten thousand
35 dollars (\$10,000) to landowners who agree to provide protected habitat for red
36 wolf populations on their land.

37 (2) Grants to local governments and local tourism development organizations in
38 rural areas of the State with nearby red wolf populations to promote and
39 establish red wolf tourism programs and activities.

40 The Commission shall provide a report on its implementation of this section,
41 including any recommendations for funding needs and legislative changes to accommodate
42 making these initiatives permanent, to the chairs of the House Committee on Wildlife Resources

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1 and the chairs of the Senate Committee on Agriculture, Energy, and Environment no later than
2 December 1, 2028.

3 **SECTION 5.(e)** Red Wolf Wildlife Crossings. – The Department of Transportation
4 will utilize the grant received from the Federal Highway Administration's Wildlife Crossings
5 Pilot Program to install wildlife crossings for red wolves on U.S. Highway 64 in and adjacent to
6 the Alligator River National Wildlife Refuge.

7 **SECTION 5.(f)** WRC Fee Adjustments. – The Wildlife Resources Commission shall
8 adopt rules to revise its fees and fee payment options for lifetime hunting and fishing licenses in
9 a revenue neutral manner as set forth in this section:

- 10 (1) Create the following age-based categories: infants (0-2 years), young children
11 (3-6 years), youth (7-12 years), teenagers (13-17 years), young adults (age
12 18-25 years), adults (26-39 years), middle-aged adults (40-59 years), and
13 seniors (60 years and over), with the middle-aged adult category charged the
14 maximum fee, seniors receiving a fifty percent (50%) discount on the
15 maximum fee, and younger age groups charged less than older age groups.
16 (2) Offer a multi-generational license discount to families purchasing three or
17 more lifetime licenses at the same time.
18 (3) Offer a monthly installment payment option for licenses that exceed one
19 thousand dollars (\$1,000) in cost.

20 **SECTION 5.(g)** Other Funding Sources. – The Commission shall seek additional
21 sources of funds from non-State sources for the initiatives funded by this act, including grants
22 from federal and nonprofit wildlife conservation organizations.

23 **SECTION 5.(h)** Report. – The Wildlife Resources Commission shall report on its
24 implementation of this section as a part of the annual report required by G.S. 143-250.

25 **SECTION 5.(g)** This section becomes effective July 1, 2026.

26 **SECTION 6.(a)** Findings and Purpose. – The General Assembly finds that decades
27 of barriers to entry, rising land prices, and economic consolidation have led to the loss of millions
28 of acres of land farmed by small farmers. The General Assembly further finds that financial
29 assistance through targeted grants can help address disparities and contribute to the long-term
30 success of small farmers. The purpose of this section is to support the viability and sustainability
31 of small farmers in North Carolina by providing financial assistance to support these farmers.

32 **SECTION 6.(b)** Chapter 106 of the General Statutes is amended by adding a new
33 Article to read:

34 "Article 61B.

35 "Small Farmers Support Grant Program.

36 "§ 106-748. Definitions.

37 The following definitions apply in this Article:

- 38 (1) Commissioner. – The Commissioner of Agriculture and Consumer Services.
39 (2) Department. – The North Carolina Department of Agriculture and Consumer
40 Services.
41 (3) Eligible individual. – A resident of this State who meets all of the following
42 criteria:
43 a. Is at least 21 years of age.

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1 **b.** Is a small farmer.

2 **c.** Had an annual income from farming operations for the preceding
3 taxable year of at least one thousand dollars (\$1,000) or more.

4 **(4)** Small farmer. – A farmer with a gross cash farm income of one million dollars
5 (\$1,000,000) or less, as determined in a manner as the Department may
6 specify.

7 **"§ 106-749. Small Farmers Support Grant Program established.**

8 **(a)** Program Established. – The Small Farmers Support Grant Program (Program) is
9 established within the North Carolina Department of Agriculture to support current small farmers
10 and to encourage the continued financial viability of those farmers in the field of agriculture. The
11 Small Farmer Grant Fund (Fund) is established as a special revenue fund. The Fund shall consist
12 of gifts, grants, and donations from non-State entities and General Fund appropriations for the
13 support of the Program established by this Article. The Fund shall be used for the provision of
14 grants to eligible individuals for essential inputs, equipment, and operational improvements to
15 their farming operations.

16 **(b)** Grants. – Grants from the Fund are subject to the following procedures and
17 restrictions:

18 **(1)** An eligible individual seeking a grant shall submit an application on a form
19 and in a manner approved by the Commissioner.

20 **(2)** The Commissioner may establish priorities for grants among all eligible
21 individuals based on criteria that include farm size, income levels, and
22 economic hardship, including lack of access to capital and operational
23 support.

24 **(3)** The Commissioner may establish tiered maximum grant amounts based on
25 financial hardship, demonstrated need, and other criteria the Department feels
26 will maximize the ability of the Program to increase the long-term viability
27 and sustainability of small farmers.

28 **(4)** The Commissioner may retain up to one percent (1%) of funds appropriated
29 to the Fund for administrative costs related to administering the Program.

30 **(c)** The Department shall establish an advisory committee to monitor the Program's
31 effectiveness and make recommendations for improvements.

32 **(d)** The Department shall adopt rules to carry out the provisions of this Article."

33 **SECTION 6.(c)** Funding. – The sum of fifteen million dollars (\$15,000,000) in
34 recurring funds for the 2026-2027 fiscal year is appropriated from the General Fund to the
35 Department of Agriculture and Consumer Services for the Small Farmer Grant Fund established
36 in G.S. 106-749, as enacted by subsection (b) of this section, to be used for the Small Farmers
37 Support Grant Program.

38 **SECTION 6.(c)** This section becomes effective July 1, 2027.

39 **SECTION 7.(a)** There is appropriated from the General Fund to the Department of
40 Agriculture and Consumer Services the sum of fifty million dollars (\$50,000,000) in
41 nonrecurring funds for the 2026-2027 fiscal year to be allocated to the North Carolina
42 Agricultural Development and Farmland Preservation Trust.

43 **SECTION 7.(b)** This section is effective July 1, 2026.

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1 **SECTION 8.(a)** Chapter 62 of the General Statutes is amended by adding a new
2 Article to read:

3 "Article 6C.

4 "Large-Load Facilities.

5 **"§ 62-127. Definitions.**

6 For purposes of this Article, the following definitions apply:

- 7 (1) Data center. – A facility or group of co-located facilities under common
8 ownership or control used to house computer systems, servers, network
9 equipment, and associated infrastructure for the storage, processing, or
10 transmission of data.
- 11 (2) Large-load data center. – A data center that meets the definition of a large-load
12 facility.
- 13 (3) Large-load facility. – A nonresidential facility that has an actual or projected
14 peak electricity demand equal to or greater than 50 megawatts (MW).
15 Facilities under common ownership or control, or that are operationally or
16 contractually integrated, whether located on one or multiple parcels, shall
17 constitute one "large-load facility" for purposes of determining the
18 applicability of any threshold, requirement, limitation, or fee pursuant to this
19 Article.
- 20 (4) Political subdivision. – A county or municipality.

21 **"§ 62-127.1. Certificate of operation; large-load facility.**

22 (a) Application. – No person shall begin the construction or operation of a large-load
23 facility without having applied for and obtained a certificate of operation from the Commission.
24 The application for a certificate to operate a large-load facility shall be made in a form prescribed
25 by the Commission.

26 (b) Issuance. – The Commission may, after notice and an opportunity for interested
27 parties to be heard, issue a certificate to operate a large-load facility upon finding that the
28 applicant is fit, capable, and financially able to operate the large-load facility in accordance with
29 this Article. As a condition for the issuance and continuation of a certificate to operate a
30 large-load facility, the applicant shall demonstrate to the satisfaction of the Commission all of
31 the following:

- 32 (1) That any electric services purchased from an electric public utility will be in
33 accordance with rates fixed under G.S. 62-127.2.
- 34 (2) That other members of the using and consuming public will be held harmless
35 and protected from bearing any increased costs as a result of the electric
36 services provided to large-load facilities.
- 37 (3) That an adequate environmental document studying the environmental
38 impacts of a proposed large-load facility has been completed in compliance
39 with G.S. 62-127.3.
- 40 (4) That the applicant will mitigate any adverse social, economic, and
41 environmental effects resulting from foreseeable noise pollution caused by the
42 large-load facility.

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1 (5) In the case of large-load data centers, that the political subdivision with
2 jurisdiction over the proposed facility has consented by local referendum held
3 in accordance with G.S. 62-127.4 to the Commission issuing a certificate of
4 operation.

5 (6) That the applicant will operate the large-load facility in compliance with any
6 other requirement determined by the Commission to be necessary to protect
7 the public interest.

8 (c) Effective Date. – A certificate of operation shall be effective from the date issued by
9 the Commission unless otherwise specified and shall remain in effect until terminated either
10 under its own terms or until suspended or revoked by the Commission as provided in subsection
11 (d) of this section.

12 (d) Certificate Review; Suspension and Revocation. – Upon the request of an electric
13 public utility, the Public Staff, or a person having an interest in the large-load facility's operation,
14 the Commission may review the certificate to determine whether the owner or operator of the
15 large-load facility is conducting operations in compliance with this Article. After notice to the
16 large-load facility's owner or operator, the Commission may suspend the certificate and enter
17 upon a hearing to determine whether the certificate should be revoked. After the hearing, and for
18 good cause shown, the Commission may, in its discretion, reinstate a suspended certificate,
19 continue a suspension of a certificate, or revoke a certificate.

20 **"§ 62-127.2. Electric service tariffs for large-load facilities.**

21 (a) Application. – Each electric public utility shall file for approval by the Commission
22 tariffs for the provision of electric service to large-load facilities. Subject to the limitations set
23 forth in this section, the Commission may approve a tiered tariff schedule that includes different
24 rates, terms, and conditions for different classes of large-load facilities based on load
25 requirements or other factors related to the cost of service.

26 (b) Commission Approval. – The Commission shall approve a proposed electric service
27 tariff for large-load facilities only upon finding that the tariff is just and reasonable and
28 sufficiently designed to ensure all of the following:

29 (1) That the proposed rates are based on the cost causation principle, as defined
30 in G.S. 62-133.16, and that large-load facilities will be responsible for the
31 entire cost of any capital investments or incremental operational expenses
32 necessary for the electric public utility to serve large-load facilities, including
33 any generation, transmission, distribution, or interconnection costs reasonably
34 attributable to serving this class of customers.

35 (2) That the proposed rates will not result in the electric public utility's other retail
36 customers who are classified as residential or small commercial customers
37 having to cross-subsidize large-load facilities.

38 (3) That the electric public utility's other retail customers who are classified as
39 residential or small commercial customers will be held harmless, and neither
40 advantaged nor disadvantaged, from large-load facilities either commencing
41 service or discontinuing service under the proposed tariff.

42 (4) That the proposed tariff complies with any other rule or order adopted by the
43 Commission pursuant to this Article.

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1 **"§ 62-127.3. Environmental review for large-load facilities.**

2 (a) Definitions. – The definitions set out in G.S. 113A-9 apply in this section, unless
3 when the context otherwise requires.

4 (b) Environmental Review. – Notwithstanding the thresholds for significant expenditure
5 of public monies or use of public land set forth in G.S. 113A-9, the Commission shall conduct a
6 study of the environmental impacts of any proposal to construct and operate a large-load facility
7 for which a certificate is required under this Article. The study shall meet all of the requirements
8 set forth in G.S. 113A-4 and rules adopted pursuant to G.S. 113A-4. In conducting the study, the
9 Commission shall consider any foreseeable noise impacts, in addition to, notwithstanding
10 G.S. 113A-4(2), the secondary and cumulative impacts resulting from the construction and
11 operation of the large-load facility. An environmental assessment shall be prepared for any
12 petition for a certificate under this Article. The determination of whether an environmental
13 impact statement shall also be required shall be made in accordance with the provisions of Article
14 1 of Chapter 113A of the General Statutes. The applicant who petitions the Commission for a
15 certificate under this Article shall pay the costs of special studies necessary to comply with
16 Article 1 of Chapter 113A of the General Statutes.

17 (c) Adequacy Determination. – The Commission shall not act on any application for a
18 certificate of operation for a large-load facility until the Commission has determined that the
19 environmental document is complete and adequate. A decision on the adequacy of the
20 environmental document is subject to review in a contested case on the decision of the
21 Commission to issue or deny a certificate under this Article.

22 (d) Ongoing Review. – The holder of a certificate of operation for a large-load facility
23 shall conduct an ongoing review of any ecological impacts caused as a result of the operation of
24 the facility. The certificate holder shall submit an annual report to the Commission summarizing
25 its assessment of the ecological impacts resulting from the operation of the facility.

26 (e) Noise Abatement. – The Commission shall order the holder of a certificate of
27 operation for a large-load facility to mitigate any adverse social, economic, and environmental
28 effects resulting from noise pollution caused by the large-load facility.

29 **"§ 62-127.4. Local referendum on large-load data centers.**

30 (a) Initiation. – The governing board of a political subdivision may initiate the process to
31 consent to the Commission issuing a large-load data center a certificate of operation by adopting
32 a resolution. The resolution shall call for a referendum on the question of authorizing the
33 Commission to issue a certificate of operation for a specific large-load data center. The
34 referendum shall be held and conducted by the county board of elections in accordance with
35 G.S. 163-287.

36 (b) Ballot Proposition. – A proposition to authorize the Commission to issue a certificate
37 of operation under G.S. 62-127.1 shall be printed on a ballot in substantially the following form:

38 "Shall (the political subdivision) consent to the Utilities Commission issuing a certificate of
39 operation to allow the construction and operation of (the large-load data center)?

40 YES

41 NO"

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1 If a majority of the votes cast on the proposition are in the affirmative, the political subdivision
2 consents to the Commission issuing a certificate of operation to the large-load data center. If a
3 majority of the votes cast are in the negative, the resolution is void.

4 (c) Referendum Result. – If the referendum is approved under this section, a certified true
5 copy of the resolution and a certified true copy of the referendum results shall be filed with the
6 Commission."

7 **SECTION 8.(b)** Article 1 of Chapter 113A of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 113A-8.2. Certification of large-load electricity customers.**

10 An environmental assessment shall be prepared for any application for a certificate of
11 operation, filed with the Utilities Commission in accordance with Article 6C of Chapter 62 of
12 the General Statutes, to construct or operate a large-load facility, as defined in G.S. 62-127."

13 **SECTION 8.(c)** The rate schedule required to be submitted for approval by the
14 Utilities Commission pursuant to G.S. 62-127.2, as enacted by subsection (a) of this section, shall
15 be submitted by the electric public utility no later than July 1, 2028. Effective January 1, 2029,
16 an electric public utility shall not provide electric service to a large-load facility except under the
17 rates approved by the Utilities Commission in accordance with G.S. 62-127.2.

18 **SECTION 9.** If any section or provision of this act is declared unconstitutional or
19 invalid by the courts, it does not affect the validity of this act as a whole or any part other than
20 the part so declared to be unconstitutional or invalid.

21 **SECTION 10.** Sections 1, 2, and 3 of this act become effective on April 1, 2027, and
22 Section 1 of this act applies to offenses committed on or after that date. Except as otherwise
23 provided, the remainder of this act is effective when it becomes law.";

24
25
26 and change the short title to "NC Farm/Milit./Wildlife Protect Act".
27

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____