

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 206
Committee Substitute Favorable 3/25/25
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(Public)

Sponsors:

Referred to:

February 26, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT MODIFICATIONS AS RECOMMENDED BY THE NORTH
3 CAROLINA DEPARTMENT OF PUBLIC SAFETY, TO AUTHORIZE THE STATE
4 BUREAU OF INVESTIGATION TO PLACE AUTOMATIC LICENSE PLATE READER
5 SYSTEMS ON DEPARTMENT OF TRANSPORTATION RIGHT OF WAYS, TO
6 AUTHORIZE TRIBAL POLICE CHIEFS TO ENTER INTO MUTUAL AID
7 AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES, AND TO MODIFY
8 THE LAW RELATED TO THE CONFIRMATION OF THE ADJUTANT GENERAL.

9 The General Assembly of North Carolina enacts:

10 **AIRPORT LEASE AUTHORITY**

11 **SECTION 1.(a)** The North Carolina Department of Public Safety and North Carolina
12 Air National Guard are granted independent signature authority to accept an additional 50-year
13 land use license from the United States Air Force for the approximately 114.19 acres at the Stanly
14 County Airport that extends current License No. DACA21-3-94-0983 through calendar year
15 2093.

16 **SECTION 1.(b)** This section is effective when it becomes law.

17
18 **EXTEND TROPICAL STORM FRED DISASTER RELIEF AND EXPAND TO COVER**
19 **DAMAGE CAUSED BY HURRICANE HELENE**

20 **SECTION 2.(a)** Section 5.9A.(c) of S.L. 2021-180 reads as rewritten:

21 **"SECTION 5.9A.(c)** Allocations. – Of the funds appropriated in Section 2.2(j) of
22 this act for disaster relief, recovery, mitigation, and resiliency, the sum of one hundred
23 twenty-four million four hundred thousand dollars (\$124,400,000) shall be allocated for relief
24 and recovery efforts from Tropical Storm Fred and Hurricane Helene as follows:

- 25 (1) \$72,000,000 to the Department of Public Safety, Division of Emergency
26 Management, for the following purposes:
27 a. \$20,000,000 for home reconstructions that are not eligible for federal
28 assistance through the Hazard Mitigation Grant Program.
29 b. \$16,000,000 to the State Match Fund, as established in Section 5.9 of
30 this act, for State matching funds for federal disaster assistance
31 programs related to Tropical Storm Fred.
32 c. \$15,000,000 for the repair and replacement of private roads and
33 bridges in accordance with subsection (d) of this section.
34 d. \$10,000,000 for a grant program to provide grants to units of local
35 government for unmet needs related to the Federal Emergency



* H 2 0 6 - C S C E - 3 6 *

- 1 Management Agency Public Assistance program in response to
- 2 Tropical Storm ~~Fred~~Fred and Hurricane Helene.
- 3 e. \$4,000,000 for travel trailers and short-term housing assistance as
- 4 necessary for temporary housing related to home reconstructions that
- 5 are not eligible for federal disaster assistance programs.
- 6 f. \$3,000,000 for home repairs and reimbursements that are not eligible
- 7 for federal disaster assistance programs.
- 8 g. \$2,000,000 for property repairs for housing facilities owned by
- 9 landlords who house families displaced by Tropical Storm Fred.
- 10 h. \$1,500,000 for assistance to counties and units of local government
- 11 affected by Tropical Storm ~~Fred~~Fred and Hurricane Helene.
- 12 i. \$500,000 for a program to provide grants to units of local government,
- 13 local emergency response agencies, and sheriffs' offices to replace
- 14 emergency response equipment damaged by Tropical Storm ~~Fred~~Fred
- 15 and Hurricane Helene.
- 16 (2) \$50,000,000 to the Department of Agriculture and Consumer Services for the
- 17 Agricultural Crop Loss Program in accordance with Section 5.9B of this act.
- 18 (3) \$1,900,000 to the Department of Transportation, Rail Division, for a grant to
- 19 the Blue Ridge Southern Railroad, LLC, for recovery and repair operations
- 20 related to Tropical Storm Fred.
- 21 (4) \$500,000 to the Wildlife Resources Commission to repair dams, spillways,
- 22 and related structures damaged as a result of Tropical Storm Fred."

23 **SECTION 2.(b)** Section 5.4(a) of S.L. 2022-74 reads as rewritten:

24 "**SECTION 5.4.(a)** Of the funds appropriated for the 2022-2023 fiscal year in
 25 Section 2.2 of this act to the State Emergency Response and Disaster Relief Fund (Fund), the
 26 sum of two hundred sixteen million fifteen thousand three hundred thirty-nine dollars
 27 (\$216,015,339) is allocated for the following purposes in the following amounts:

- 28 ...
- 29 (3) \$57,515,339 to the Department of Public Safety, Division of Emergency
- 30 Management, in the following amounts for the following purposes:
- 31 a. \$5,000,000 for the Private Road and Bridge Repair and Replacement
- 32 Program established in Section 5.9A of S.L. 2021-180 to address
- 33 continued demand for private road and bridge repairs in response to
- 34 damage caused by Tropical Storm Fred.
- 35 b. \$5,000,000 to provide additional funding to local government units for
- 36 the removal and disposal of debris and public infrastructure repairs
- 37 from damage caused by Tropical Storm ~~Fred~~Fred and Hurricane
- 38 Helene.

39 ...
 40"

41 **SECTION 2.(c)** This section shall apply to the counties designated before, on, or
 42 after the effective date of this act under a major disaster declaration by the President of the United
 43 States under the Stafford Act, 42 U.S.C. § 5121, et seq., as a result of Hurricane Helene.

44 **SECTION 2.(d)** This section becomes effective July 1, 2026, and expires on June
 45 30, 2029.

46 **ALLOW DONATION OF CERTAIN VEHICLES**

47 **SECTION 3.(a)** The Division of Emergency Management at the Department of
 48 Public Safety is authorized to transfer ownership of travel trailers and utility terrain vehicles that
 49 were donated to or purchased by the State during disaster operations to either non-profit
 50 organizations working in disaster relief or to survivors with a need for long-term housing support.
 51

1 **SECTION 3.(b)** This section is effective when it becomes law.

2
3 **MODIFY ALE SUBJECT MATTER JURISDICTION**

4 **SECTION 4.(a)** G.S. 18B-500(b) reads as rewritten:

5 "(b) Subject Matter Jurisdiction. – After taking the oath prescribed for a peace officer, an
6 alcohol law-enforcement agent shall have authority to arrest and take other investigatory and
7 enforcement actions for any criminal offense:

- 8 (1) Occurring, encountered, or otherwise discovered on the premises of, or
9 elsewhere when the conduct relates to, a location under application for or
10 holding a permit issued by the North Carolina Alcoholic Beverage Control
11 Commission or the North Carolina Education Lottery Commission.
12 (2) Encountered or otherwise discovered while investigating or enforcing matters
13 for the North Carolina Alcoholic Beverage Control Commission or the North
14 Carolina Education Lottery Commission or encountered or otherwise
15 discovered while investigating or enforcing the provisions of this Chapter,
16 Chapter 18C of the General Statutes, Statutes, Article 5 of Chapter 90 of the
17 General Statutes, G.S. 14-313, or Parts 1 and 2 of Article 37 of Chapter 14 of
18 the General Statutes.
19 (3) Encountered or otherwise discovered while carrying out any duty or function
20 assigned to the Division by law.
21 (4) Occurring in an agent's presence.
22 (5) When assisting another law enforcement agency."

23 **SECTION 4.(b)** This section becomes effective December 1, 2026.

24
25 **VICTIM COMPENSATION CHANGES**

26 **SECTION 5.(a)** G.S. 15B-2 reads as rewritten:

27 **"§ 15B-2. Definitions.**

28 As used in this Article, the following definitions apply, unless the context requires otherwise:

- 29 ...
- 30 (7) Dependent's economic loss. – Loss after a victim's death of contributions of
31 things of economic value to his dependents, not including services they would
32 have received from the victim if he had not suffered the fatal injury, less
33 expenses of the dependents avoided by reason of the victim's death.
34 Dependent's economic loss will be limited to a 26-week period commencing
35 from the date of the injury, and compensation shall not exceed ~~three~~four
36 hundred dollars ~~(\$300.00)~~(\$400.00) per week.
37 ...
- 38 (10a) Household support loss. – The loss of support that a victim would have
39 received from the victim's spouse for the purpose of maintaining a home or
40 residence for the victim and the victim's dependents. A victim may be
41 compensated ~~fifty-one~~one hundred dollars ~~(\$50.00)~~(\$100.00) per week for each
42 dependent child. Compensation for household support loss shall not exceed
43 ~~three~~four hundred dollars ~~(\$300.00)~~(\$400.00) per week and shall be limited
44 to 26 weeks commencing from the date of the injury. A victim may receive
45 only one compensation for household support loss. Household support loss is
46 only available to ~~an unemployed~~ a victim whose spouse is the offender who
47 committed the criminally injurious conduct that is the basis of the victim's
48 claim under this act.
49 ...
- 50 (14) Work loss. – Loss of income from work that the injured person would have
51 performed if he had not been injured and expenses reasonably incurred by him

1 to obtain services in lieu of those he would have performed for income,
 2 reduced by any income from substitute work actually performed by him, or
 3 by income he would have earned in available appropriate substitute work that
 4 he was capable of performing but unreasonably failed to undertake.

5 Compensation for work loss will be limited to 26 weeks commencing from
 6 the date of the injury, and compensation shall not exceed ~~three-four~~ hundred
 7 dollars ~~(\$300.00)~~(\$400.00) per week. A claim for work loss will be paid only
 8 upon proof that the injured person was gainfully employed at the time of the
 9 criminally injurious conduct and, by physician's certificate, that the injured
 10 person was unable to work. "

11 **SECTION 5.(b)** G.S. 15B-6(b) reads as rewritten:

12 "(b) The Director shall have all of the following authority:

- 13 (1) With the consent of the district attorney, to request that law enforcement
 14 officers employed by the State or any political subdivision provide copies of
 15 any information or data gathered in the investigation of criminally injurious
 16 conduct that is the basis of any claim to enable the Director or Commission to
 17 determine whether, and the extent to which, a claimant qualifies for an award
 18 of compensation.
- 19 (2) With the consent of the district attorney, to request that prosecuting attorneys,
 20 law enforcement officers, and State agencies conduct investigations and
 21 provide information necessary to enable the Director or Commission to
 22 determine whether, and the extent to which, a claimant qualifies for an award
 23 of compensation.
- 24 (3) To require the claimant to supplement the application for an award of
 25 compensation with any reasonably available medical or psychological reports
 26 pertaining to the injury for which the award of compensation is claimed.
- 27 (4) To utilize the sums remaining in the fund in any particular fiscal year to
 28 promote the mission of the Commission through outreach awareness
 29 measures, training for crime victim advocates, law enforcement, and service
 30 providers on the needs of crime victims, grants for agencies to assist victims
 31 of crime with seeking compensation benefits, provision of referral and claim
 32 services for crime victims and analysis of violent crime and victimization in
 33 North Carolina to better support victim compensation. Up to \$600,000 of
 34 accrued funds may be used one time to develop and implement an online
 35 submission and communication system for crime victim service providers.

36 Information obtained pursuant to this subsection is subject to the same privilege against
 37 public disclosure that may be asserted by the providing source."

38 **SECTION 5.(c)** G.S. 15B-10(a) reads as rewritten:

39 "(a) ~~The Director~~Director, or the Director's designee, shall decide the award of
 40 compensation for an initial claim or follow-up claim when the claim does not exceed twelve
 41 thousand five hundred dollars (\$12,500) and does not include future economic loss. The Director
 42 shall report all awards under this subsection to the Commission."

43 **SECTION 5.(d)** G.S. 15B-11 reads as rewritten:

44 "**§ 15B-11. Grounds for denial of claim or reduction of award.**

45 (a) An award of compensation shall be denied if any of the following apply:

- 46 (1) The claimant fails to file an application for an award within two years after
 47 the date of the criminally injurious conduct that caused the injury or death for
 48 which the claimant seeks the award.
- 49 (2) The economic loss is incurred after one year from the date of the criminally
 50 injurious conduct that caused the injury or death for which the victim seeks
 51 the award, except in the case where the victim for whom compensation is

sought was ~~10-18~~ years old or younger at the time the injury occurred. In that case an award of compensation will be denied if the economic loss is incurred after two years from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the ~~award-award~~, unless the minor victim has new medical or counseling expenses directly attributable to the crime.

...

...

(c1) A claim may be denied upon a finding that the claimant has been convicted of any felony classified as a Class A, B1, B2, C, D, or E felony under the laws of the State of North Carolina and that such felony was committed within 3 years of the time the victim's injury ~~occurred-occurred~~ and that such felony could reasonably be associated with the violent incident.

.... "

SECTION 5.(e) G.S. 15B-15 reads as rewritten:

"§ 15B-15. Clerks of court to be notified.

The Director shall notify in writing or by electronic means the clerk of superior court of the county in which the offense occurred of any award made from the Crime Victims Compensation Fund to the victim. The clerk shall place the notice in the case file of any defendant charged with the offense that gave rise to the award to the victim."

SECTION 5.(f) G.S. 15B-26(c) reads as rewritten:

"(c) When a creditor has been notified by a victim that an application for a victim compensation claim is pending the A-creditor may request monthly verification from the Commission that the application or appeal is still pending, and the Commission shall provide this verification."

SECTION 5.(g) This section is effective when it becomes law.

AUTHORIZE THE STATE BUREAU OF INVESTIGATION TO PLACE AUTOMATIC LICENSE PLATE READER SYSTEMS ON DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAYS

SECTION 6.(a) Article 3D of Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-183.34. Automatic License Plate Readers Systems in the Department of Transportation Right-of-Way.

(a) The Department of Transportation may enter into agreements with the North Carolina State Bureau of Investigation for the placement and use of automatic license plate reader systems within land or right-of-way owned by the Department provided that all of the following conditions are met:

- (1) The automatic license plate reader system is above ground, removeable, and contains no combustible fuel.
- (2) The placement and use does not unreasonably interfere with the operation and maintenance of public utility facilities or cause the facilities to fail to comply with all applicable laws, codes, and regulatory requirements.
- (3) The authorization to locate the automatic license plate reader system within the right-of-way is revocable by the Department for cause with at least 30 days' notice.
- (4) The use of the automatic license plate reader system complies with provisions of Article 8A of Chapter 87 of the General Statutes.
- (5) The automatic license plate reader system is operated in accordance with this section.

(b) Placement and use of an automatic license plate reader system and related equipment under this subsection must be terminated and removed by the Department upon reasonable

1 request by any affected public utility. The Department or a public utility may relocate an
 2 automatic license plate reader system and related equipment in the event that the Department or
 3 public utility needs immediate access to its utilities or facilities and shall only be liable for
 4 damages to the automatic license plate reader system and related equipment caused solely by its
 5 gross negligence or willful misconduct. If an automatic license plate reader system or related
 6 equipment is moved for immediate access, the Department or applicable public utility must
 7 provide notice to the State Bureau of Investigation, and the system may be reinstalled once work
 8 is complete. For purposes of this subsection, the term "public utility" means any of the following:
 9 a public utility, as defined in G.S. 62-3(23), an electric membership corporation, telephone
 10 membership corporation, a joint municipal power agency, or a municipality, as defined in
 11 G.S. 159B-3(5).

12 (c) The State Bureau of Investigation may enter into an agreement under this section on
 13 its own behalf or as an administrative agent of a federal, state, or local law enforcement agency.
 14 Any law enforcement agency that enters into an agreement under this section shall provide to the
 15 State Bureau of Investigation information pertaining to their agency's use of each automatic
 16 license plate reader system located within the Department of Transportation right of way
 17 necessary to complete the report required under subsection (d) of this section.

18 (d) No later than March 1 of each year, the State Bureau of Investigation shall submit a
 19 report to the Joint Legislative Oversight Committee on Justice and Public Safety containing the
 20 following information with respect to each law enforcement agency that places an automatic
 21 license plate reader system on right-of-way owned or maintained by the Department of
 22 Transportation pursuant to this section:

23 (1) The written policy governing use of the automatic license plate reader system.

24 (2) The number of requests for captured data by requesting agency.

25 (3) The number of cameras in the agency's automatic license plate reader system."

26 **SECTION 6.(b)** This section is effective when it becomes law.

27
 28 **AUTHORIZE TRIBAL POLICE CHIEFS TO ENTER INTO MUTUAL AID**
 29 **AGREEMENTS WITH OTHER LAW ENFORCEMENT AGENCIES**

30 **SECTION 7.(a)** G.S. 160A-288 reads as rewritten:

31 **"§ 160A-288. Cooperation between law enforcement agencies.**

32 ...

33 (b) As used in this section:

34 (1) "Head" means any director or chief officer of a law enforcement agency
 35 including the chief of police of a local department, chief of police of a county
 36 police department, ~~and the sheriff of a county, county, and chief of a tribal~~
 37 police department, or an officer of one of the above named agencies to whom
 38 the head of that agency has delegated authority to make or grant requests under
 39 this section, but only one officer in the agency shall have this delegated
 40 authority at any time.

41 (2) "Law enforcement agency" or "agency" means a municipal police department,
 42 a county police department, ~~or a sheriff's office of this State, State, or any tribal~~
 43 police department described in G.S. 1E-11. Subject to G.S. 15A-403, it also
 44 includes a municipal police department, a county police department, or a
 45 sheriff's office of another state if the laws of the other state allow for the
 46 provision of mutual aid with out-of-state law enforcement officers. All other
 47 State and local agencies are exempted from the provisions of this section.

48"

49 **SECTION 7.(b)** This section is effective when it becomes law.

50
 51 **ADJUTANT GENERAL CONFIRMATION**

1 **SECTION 8.(a)** G.S. 127A-19 reads as rewritten:

2 "**§ 127A-19. Adjutant General.**

3 (a) The military head of the militia shall be the Adjutant General who shall hold the rank
4 of major general with federal recognition at time of appointment or attain the rank of major
5 general pursuant to this section. The Adjutant General shall be appointed by the Governor in the
6 Governor's capacity as commander in chief of the militia, in consultation with the Secretary of
7 Public Safety, and shall be subject to confirmation by the General Assembly by joint resolution.

8 The Governor shall submit the name of the person to be appointed, for confirmation by the
9 General Assembly, to the General Assembly by May 1 of the year in which the Adjutant General
10 is to be appointed. If the Governor does not submit the name by that date, the President Pro
11 Tempore of the Senate and the Speaker of the House of Representatives shall submit a name to
12 the General Assembly on or before May 15 of the same year. The appointment shall then be made
13 by enactment of a bill. The bill shall state the name of the person being appointed, the office to
14 which the appointment is being made, the residence of the appointee, and that the appointment
15 is being made upon the joint recommendation of the Speaker of the House of Representatives
16 and the President Pro Tempore of the Senate. If there is no vacancy in the office of the Adjutant
17 General and a bill that would confirm the appointment of the person as Adjutant General fails a
18 reading in either chamber of the General Assembly, then the Governor shall submit a new name
19 within 30 days.

20 Following appointment pursuant to this section, the Adjutant General shall serve at the
21 pleasure of the Governor. The Adjutant General, while holding this office, shall be a member of
22 the active North Carolina National Guard. If an appointed Adjutant General does not attain the
23 rank of major general with federal recognition within a reasonable period of time from the date
24 of appointment, the Governor shall replace the Adjutant General with an appointee who meets
25 the criteria ~~in~~in, and is appointed in accordance with, this section. A "reasonable period of time"
26 shall take into account time in grade requirements for promotion or promotions and
27 administrative periods necessary to complete the promotion process.

28 (a1) In case of a vacancy in the office of the Adjutant General, the name of the Adjutant
29 General's successor shall be submitted by the Governor to the General Assembly not later than
30 60 days after the vacancy arises. If a vacancy arises in the office when the General Assembly is
31 not in session, an acting Adjutant General shall be appointed by the Governor to serve pending
32 confirmation by the General Assembly. However, in no event shall an acting Adjutant General
33 serve (i) for more than 12 months without General Assembly confirmation or (ii) after a bill that
34 would confirm the appointment of the person as Adjutant General fails a reading in either
35 chamber of the General Assembly.

36 "

37 **SECTION 8.(b)** This section is effective when it becomes law.

38
39 **EFFECTIVE DATE**

40 **SECTION 9.** Except as otherwise provided, this act is effective when it becomes law.