

**N.C. HOUSE OF REPRESENTATIVES
APPROPRIATIONS COMMITTEE
ON
AGRICULTURE AND NATURAL AND
ECONOMIC RESOURCES

PROPOSED SPECIAL PROVISIONS**

Senate Bill 257

May 15, 2025

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GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Sending to BP
SPECIAL PROVISION



2025-COMM-H1(S11.1)i

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

COMMUNITY DEVELOPMENT BLOCK GRANTS

SECTION 11.1.(a) Allocations. – Of the funds appropriated in this act for federal block grant funds, the following allocations are made for the fiscal years ending June 30, 2026, and June 30, 2027, according to the following schedule:

COMMUNITY DEVELOPMENT BLOCK GRANT

1. State Administration	\$1,559,093
2. Neighborhood Revitalization	7,516,037
3. Economic Development	13,472,376
4. Infrastructure	18,980,379
5. Rural Community Development	4,745,094

TOTAL COMMUNITY DEVELOPMENT

BLOCK GRANT – 2026 Program Year

\$46,272,979

2027 Program Year

\$46,272,979.

SECTION 11.1.(b) Availability Reduction. – If federal funds are reduced below the amounts specified in this section after the effective date of this act, then every program in each of these federal block grants shall be reduced by the same percentage as the reduction in federal funds.

SECTION 11.1.(c) Availability Increase. – Any block grant funds appropriated by the Congress of the United States in addition to the funds specified in this section shall be expended as follows: each program category under the Community Development Block Grant shall be increased by the same percentage as the increase in federal funds.

SECTION 11.1.(d) Reallocation. – The Department of Commerce shall consult with the Joint Legislative Commission on Governmental Operations prior to reallocating Community Development Block Grant Funds. Notwithstanding the provisions of this subsection, whenever the Director of the Budget finds either of the following conditions exists:

- (1) If a reallocation is required because of an emergency that poses an imminent threat to public health or public safety, then the Director of the Budget may authorize the reallocation without consulting the Commission. The Department of Commerce shall report to the Commission on the reallocation no later than 30 days after it was authorized and shall identify in the report the emergency, the type of action taken, and how it was related to the emergency.
- (2) If the State will lose federal block grant funds or receive less federal block grant funds in the next fiscal year unless a reallocation is made, then the

1 Department of Commerce shall provide a written report to the Commission
2 on the proposed reallocation and shall identify the reason that failure to take
3 action will result in the loss of federal funds. If the Commission does not hear
4 the issue within 30 days of receipt of the report, the Department may take the
5 action without consulting the Commission.

6 **SECTION 11.1.(e) Report.** – By October 1, 2025, and September 1, 2026, the
7 Department of Commerce shall report to the chairs of the House of Representatives
8 Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of
9 the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; the
10 chairs of the Joint Legislative Economic Development and Global Engagement Oversight
11 Committee; and the Fiscal Research Division on the use of Community Development Block
12 Grant Funds appropriated in the prior fiscal year. The report shall include the following:

- 13 (1) A discussion of each of the categories of funding, including information on
14 the statewide need in each category.
- 15 (2) Information on the number of applications that were received in each category
16 and the total dollar amount requested in each category.
- 17 (3) A list of grantees, including the grantee's name, county, category under which
18 the grant was funded, the amount awarded, and a narrative description of the
19 project.

20 **SECTION 11.1.(f) Neighborhood Revitalization.** – Funds allocated to the
21 Neighborhood Revitalization Category in subsection (a) of this section shall be made available
22 as grants for eligible activities listed in this subsection. The funds available for grants under this
23 category may be used for all of the following, subject to the national objectives and eligible
24 activities allowed under guidance issued by the United States Department of Housing and Urban
25 Development (HUD):

- 26 (1) Essential repairs to prevent abandonment and deterioration of housing in
27 low- and moderate-income neighborhoods.
- 28 (2) Demolition and rehabilitation of buildings and improvements.
- 29 (3) Public improvements, including parks, streets, sidewalks, and water and sewer
30 lines.

31 **SECTION 11.1.(g) Economic Development.** – Funds allocated to the Economic
32 Development Category in subsection (a) of this section shall be made available as grants for
33 eligible activities listed in this subsection. The funds available for grants under this category may
34 be used for all of the following, subject to the national objectives and eligible activities allowed
35 under guidance issued by HUD:

- 36 (1) Acquisition of real property.
- 37 (2) Demolition and rehabilitation of buildings and improvements.
- 38 (3) Removal of material and architectural barriers.
- 39 (4) Public improvements, including parks, streets, sidewalks, and water and sewer
40 lines.
- 41 (5) Loans and grants to public or private nonprofit entities for construction and
42 rehabilitation activities.
- 43 (6) Assistance to private, for-profit entities for economic development.
- 44 (7) Technical assistance to public or nonprofit entities for neighborhood
45 revitalization or economic development activities.
- 46 (8) Assistance to for-profit and nonprofit entities to facilitate economic
47 development activities.

48 **SECTION 11.1.(h) Infrastructure.** – For purposes of this section, eligible activities
49 under the Infrastructure Category in subsection (a) of this section shall be defined as provided in
50 the HUD State Administered Community Development Block Grant definition of the term
51 "infrastructure." Notwithstanding the provisions of subsection (d) of this section, funds allocated

1 to the Infrastructure Category in subsection (a) of this section shall not be reallocated to any other
2 category.

3 **SECTION 11.1.(i) Rural Community Development.** – Funds allocated for the Rural
4 Community Development Category in subsection (a) of this section shall be made available as
5 grants for eligible activities listed in this subsection. These funds shall provide grants that support
6 community development and comprehensive growth projects to be awarded by the Department
7 of Commerce. The Rural Community Development Category will provide grants to units of local
8 government in development tier one and development tier two areas, as defined in
9 G.S. 143B-437.08, and in rural census tracts, as defined in G.S. 143B-472.127(a)(2), in any other
10 area to support projects that promote broad-based community development activities, increased
11 local investment and economic growth, and stronger and more viable rural neighborhoods. In
12 awarding grants under this section, preference shall be given to projects in development tier one
13 areas, as defined in G.S. 143B-437.08. The funds available for grants under this category may be
14 used for all of the following, subject to the national objectives and eligible activities allowed
15 under guidance issued by HUD:

- 16 (1) Essential repairs to prevent abandonment and deterioration of housing in
17 low- and moderate-income neighborhoods.
- 18 (2) Public improvements, including parks, streets, sidewalks, and water and sewer
19 lines.
- 20 (3) Public facilities, including neighborhood and community facilities and
21 facilities for individuals with special needs.
- 22 (4) Public services, including employment, crime prevention, and energy
23 conservation.
- 24 (5) Assistance to private, for-profit entities for economic development.
- 25 (6) Technical assistance to public or nonprofit entities for neighborhood
26 revitalization or economic development activities.
- 27 (7) Assistance to for-profit and nonprofit entities to facilitate economic
28 development activities.

29 **SECTION 11.1.(j) Deobligated Funds.** – Throughout each year, deobligated funds
30 arise in the various funding categories and program years of the Community Development Block
31 Grant (CDBG) program as a result of (i) projects coming in under budget, (ii) projects being
32 canceled, or (iii) projects being required to repay funds. Surplus federal administrative funds in
33 the CDBG program may vary from year to year based upon the amount of State-appropriated
34 funds allocated and the amount of eligible in-kind funds identified. To allow the Department of
35 Commerce and the Department of Environmental Quality to quickly deploy deobligated and
36 surplus federal administrative funds as they are identified throughout the program year, the
37 following shall apply to the use of deobligated CDBG funds and surplus federal administrative
38 funds:

- 39 (1) All surplus federal administrative funds shall be divided proportionally
40 between the Departments of Commerce and Environmental Quality and shall
41 be used as provided in subdivisions (2) and (3) of this subsection.
- 42 (2) All deobligated funds allocated to the Department of Commerce and any
43 surplus federal administrative funds, as provided for in subdivision (1) of this
44 subsection, may be used by the Department for all of the following:
 - 45 a. To issue grants in the CDBG Economic Development or
46 Neighborhood Revitalization Program Category.
 - 47 b. For providing training and guidance to local governments relative to
48 the CDBG program, its management, and administrative requirements.
 - 49 c. For any other purpose consistent with the Department's administration
50 of the CDBG program if an equal amount of State matching funds is
51 available.

- 1 (3) All deobligated funds allocated to the Department of Environmental Quality
2 and any surplus federal administrative funds, as provided for in subdivision
3 (1) of this subsection, may be used by the Department for all of the following:
4 a. To issue grants in the CDBG Infrastructure Category.
5 b. For any other purpose consistent with the Department's administration
6 of the CDBG program if an equal amount of State matching funds is
7 available.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-COMM-H2(S11.2)i

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

COMMERCE NONPROFITS/REPORTING REQUIREMENTS

SECTION 11.2.(a) The entities listed in subsection (b) of this section shall do the following for each year that State funds are expended:

- (1) By September 1 of each year, and more frequently as requested, report to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources; the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; and the Fiscal Research Division on prior State fiscal year program activities, objectives, and accomplishments and prior State fiscal year itemized expenditures and fund sources. If State funds are used to provide matching funds for competitive grants from the federal government or a nongovernmental entity, the report should include a list and description of the grants that are awarded.
- (2) Provide to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources; the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources; and the Fiscal Research Division a copy of the entity's annual audited financial statement within 30 days of issuance of the statement.

SECTION 11.2.(b) The following entities shall comply with the requirements of subsection (a) of this section:

- (1) North Carolina Biotechnology Center.
- (2) High Point Market Authority.
- (3) RTI International.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-COMM-H4(S11.3)-P

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

NC BIOTECHNOLOGY CENTER

SECTION 11.3.(a) Except for the funds appropriated in subsection (b) of this section, funds appropriated in this act to the Department of Commerce for the North Carolina Biotechnology Center (Center) for each fiscal year in the 2025-2027 biennium shall be allocated for the following purposes in the following proportions:

- (1) Twenty-one percent (21%) for job creation, including funding for the AgBiotech Initiative, economic and industrial development, and related activities.
- (2) Sixty-five percent (65%) for science and commercialization, including science and technology development, Centers of Innovation, business and technology development, education and training, and related activities.
- (3) Fourteen percent (14%) for Center operations, including administration, professional and technical assistance and oversight, corporate communications, human resource management, financial and grant administration, legal, and accounting.

SECTION 11.3.(b) Of the funds appropriated in this act to the Department of Commerce for the Center, five hundred thousand dollars (\$500,000) of recurring funds in each fiscal year of the 2025-2027 biennium shall be used to support funding for early-stage loans to North Carolina agricultural technology companies.

SECTION 11.3.(c) The Center shall not use any of the recurring funds allocated in subsection (b) of this section for administrative costs and shall report on the expenditure of those funds each year pursuant to Section 11.2 of this act.

SECTION 11.3.(d) The Center shall prioritize funding and distribution of loans over funding and distribution of grants.

SECTION 11.3.(e) Up to ten percent (10%) of the sum of each of the allocations in subsection (a) of this section may be reallocated to subdivision (a)(1) or subdivision (a)(2) of this section if, in the judgment of Center management, the reallocation will advance the mission of the Center.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-COMM-H5(S11.6)-P

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

INCREASE UI MAX BENEFIT

SECTION 11.6.(a) To maintain the rule of law with respect to State and federal relations pertaining to employment security laws in North Carolina, any executive order issued by the Governor that purports to expand unemployment insurance benefits, whether those benefits will be paid from federal or State funds, is void ab initio unless the executive order is issued upon authority that is conferred expressly by an act enacted by the General Assembly or granted specifically to the Governor by the Congress of the United States.

SECTION 11.6.(b) Sections 1, 2, 3, and 4 of Executive Order No. 322, issued by the Governor on October 16, 2024, and concurred to by the Council of State, are ratified and shall terminate on March 1, 2025.

SECTION 11.6.(c) G.S. 96-14.2(a) reads as rewritten:

"(a) Weekly Benefit Amount. – The weekly benefit amount for an individual who is totally unemployed is an amount equal to the wages paid to the individual in the last two completed quarters of the individual's base period divided by 52 and rounded to the next lower whole dollar. If this amount is less than fifteen dollars (\$15.00), the individual is not eligible for benefits. The weekly benefit amount may not exceed ~~three hundred fifty dollars (\$350.00)~~ four hundred fifty dollars (\$450.00)."

SECTION 11.6.(d) Subsection (c) of this section becomes effective July 6, 2025, and applies to claims for benefits filed on or after July 6, 2025. The remainder of this section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-COMM-H7-P

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

MOTORSPORTS INDUSTRY STUDY

SECTION #.(a) Of the funds appropriated in this act from the General Fund to the Department of Commerce, the sum of four hundred thousand dollars (\$400,000) in nonrecurring funds for the 2025-2026 fiscal year shall be used for Sanford Holshouser Business Development Group (Group) to update the Group's previous study on the motorsports industry in this State, published in October 2004 and the University of North Carolina – Charlotte Urban Institute entitled "Motorsports – A North Carolina Growth Industry Under Threat." The study shall also address the potential for North Carolina to secure events for all levels of motorsports racing, including professional, sportsman, and club racing, motorsports research and development, motorsports manufacturing, and motorsports testing facilities.

SECTION #.(b) By April 15, 2026, the organization, in consultation with the Department, shall submit a report to the chairs of the Joint Legislative Economic Development and Global Engagement Oversight Committee, the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, and the Fiscal Research Division.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-COMM-H8A-P

Department of Commerce
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

CDL TRAINING GRANT PROGRAM

SECTION #.(a) The Department of Commerce shall establish a grant program to encourage and facilitate residents of this State to obtain commercial drivers licenses (CDLs). The grant program established in this section shall provide funds to a qualifying CDL training provider to cover the cost of CDL training programs and shall provide stipends for temporary accommodations for trainees in the CDL programs receiving funding under this section. A qualifying CDL training provider shall meet the following criteria:

- (1) Must offer a four-week accelerated CDL training program.
- (2) Must be authorized to conduct on-site CDL testing to streamline licensing.
- (3) Must have enrollment and training facilities in this State.

SECTION #.(b) The Department of Commerce shall provide a qualifying CDL training provider a grant equaling four thousand dollars (\$4,000) per trainee, payable to the qualifying CDL training provider upon successful completion of the program and the receipt of a CDL by the trainee. The Department of Commerce shall also provide a grant equaling one thousand five hundred dollars (\$1,500) for trainees needing accommodations during their participation in the CDL training program, payable directly to participating local hotels or motels proximally located to the CDL training facility, for trainees that demonstrate a financial need and that do not reside in close proximity to the CDL training facility. The Department shall award no more than two hundred seventy-seven thousand five hundred dollars (\$277,500) of funds appropriated in this act for grants for trainee accommodations. A trainee under this section shall be a resident of this State. The Department of Commerce shall establish a streamlined application system, including options for online and in-person applications, to verify residency, assess financial need, and facilitate program enrollment. In addition, the Department of Commerce shall organize partnerships with (i) local hotels and motels for receipt of grants for trainee stipends and (ii) local employers and construction firms to assist graduates of the CDL training program in securing employment.

SECTION #.(c) For the purposes of this section, the terms "CDL training provider" and "CDL training programs" refer to entry-level driver training, as defined in 49 C.F.R. § 380.605.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-DEQ-H1(S12.1)i

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

DEQ BASE BUDGET CORRECTIONS

SECTION 12.1.(a) To ensure the Department of Environmental Quality's budget conforms with Chapter 143C of the General Statutes, the Department and the Office of State Budget and Management, in consultation with the Fiscal Research Division, shall take all of the following actions prior to the certification of the 2025-2027 budget under G.S. 143C-6-1(c):

- (1) Remove all negative appropriations from the base budget.
- (2) Remove all negative full-time equivalent positions from the base budget.
- (3) Budget all one-time grants on a nonrecurring basis.
- (4) Remove all intergovernmental transfers from "Other Admin Expenses."
- (5) Budget all intergovernmental transfers as such with the correct amount receipted to the corresponding expenditure.
- (6) Correctly budget the base budget corrections enacted in the "Current Operations Appropriations Act of 2023" (S.L. 2023-134).
- (7) Accurately budget all special funds to not budget the expenditure of cash balances that do not exist.

SECTION 12.1.(b) No budgetary action by the Department in accordance with subsection (a) of this section shall increase the Department's net General Fund appropriation.

SECTION 12.1.(c) The Department shall report to the Fiscal Research Division on all actions taken under this section within 30 days of the effective date of this act. This report may be in the form of a revised "Worksheet I."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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2025-DEQ-H2(S12.2)-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

WATER AND WASTEWATER FUNDING DIRECTIVES

2021 AND 2022 WATER AND WASTEWATER PROJECTS FROM STATE FISCAL RECOVERY FUNDS PRIORITIZATION

SECTION 12.2.(a) Directive. – Recipients of funding from the State Fiscal Recovery Fund for water, wastewater, and stormwater projects under Sections 12.13 and 12.14 of S.L. 2021-180, as amended, or Section 12.9 of S.L. 2022-74, as amended, shall prioritize spending those funds prior to spending funds from nonfederal funding sources for water, wastewater, and stormwater projects. The Department of Environmental Quality and the Office of State Budget and Management shall not approve payments from nonfederal sources for water, wastewater, and stormwater construction projects that have not executed construction contracts prior to October 1, 2025, unless the Department or the Office, as applicable, determines that the recipient for funding is meeting all milestones necessary to spend their funding from the State Fiscal Recovery Fund prior to December 31, 2026. This section does not apply to projects (i) for which the Department exercised the funding flexibility provided by Section 10.1 of S.L. 2024-51 or (ii) receiving funds under Sections 4C.5, 4C.6, or 4C.7 of S.L. 2024-53, as amended.

2023 WATER AND WASTEWATER GENERAL FUND DEADLINES

SECTION 12.2.(b) Deadlines for Project Completions. – Recipients of funding for projects under Section 12.2(e) of S.L. 2023-134 shall comply with the following schedule:

- (1) No later than December 31, 2026, provide to the Department of Environmental Quality (Department) a completed request for funding form with a project budget that describes a project that is eligible for funding under applicable State or federal law and consistent with the purposes for the funding as set forth in Section 12.2(e) of S.L. 2023-134.
- (2) No later than December 31, 2028, enter into a construction contract for the project.
- (3) No later than June 30, 2031, expend all funding allocated under Section 12.2(e) of S.L. 2023-134.

SECTION 12.2.(c) Extension of Deadline. – The Department may extend the applicable deadline set forth in subsection (b) of this section and set a new deadline with a date certain, if the Department finds good cause for the recipient of funding failing to meet the applicable deadline.

SECTION 12.2.(d) Reversion of Unspent Funds. – If a recipient for funding under Section 12.2(e) of S.L. 2023-134 (i) fails to meet any of the deadlines set forth in subsection (b) or (c) of this section or (ii) complies with the applicable deadline but there remains unexpended or unbudgeted funds in excess of the needs of the eligible project, then unencumbered funds shall revert in accordance with Section 12.2(c) of S.L. 2023-134 on the next business day after the applicable deadline has passed.

SECTION 12.2.(e) Reallocation of Reverted Funds. – In reallocating funds reverted under subsection (d) of this section, the Department shall prioritize other projects that are

1 allocated funds under Section 12.2(e) of S.L. 2023-134 that the Division of Water Infrastructure
2 finds can no longer be completed due to unavoidable cost overruns. For purposes of this
3 subsection, an unavoidable cost overrun is an increase in the cost of a project since September 1,
4 2023, due to increases in labor, material, or engineering costs for the project as described in the
5 first request for funding submitted to the Department after that date. A change in project size or
6 scope is not an unavoidable cost overrun.

7 **SECTION 12.2.(f) Reporting Requirement.** – Beginning October 30, 2025, and no
8 later than 30 days after the end of each subsequent quarter thereafter, the Department shall report
9 to (i) the chairs of the House Appropriations Committee on Agriculture and Natural and
10 Economic Resources, (ii) the chairs of the Senate Appropriations Committee on Agriculture,
11 Natural, and Economic Resources, (iii) each member who represents a district with an active
12 project under Section 12.2(e) of S.L. 2023-134, and (iv) the Fiscal Research Division detailing,
13 at a minimum, each project's progress and funding status. This reporting requirement expires
14 when all funds are expended and those projects are completed.

15
16 **EXPAND ELIGIBILITY FOR TARGETED INTEREST RATE LOANS FROM**
17 **WASTEWATER AND DRINKING WATER RESERVES**

18 **SECTION 12.2.(g)** G.S. 159G-20 reads as rewritten:

19 **"§ 159G-20. Definitions.**

20 The following definitions apply in this Chapter:

21 ...

- 22 (21) Targeted interest rate project. – ~~Either~~ Any of the following types of projects:
- 23 a. A project that is awarded a loan from the Drinking Water Reserve or
- 24 the Wastewater Reserve based on affordability.
- 25 b. A project that is awarded a loan from the CWSRF or the DWSRF and
- 26 is in a category for which federal law encourages a special focus.
- 27 c. A project the Authority finds will (i) encourage owners of single or
- 28 multifamily residential property to replace failing decentralized
- 29 wastewater treatment systems with connection to a publicly owned
- 30 treatment works, (ii) be located in a county subject to a state of
- 31 emergency, as defined in G.S. 166A-19.3, with respect to projects
- 32 intended to repair, ameliorate, or mitigate impacts of the disaster
- 33 resulting in the state of emergency declaration, or (iii) meet
- 34 requirements for federal programs that will result in the drawdown of
- 35 additional federal funds.

36"

37
38 **RAISE LIMITS FOR CERTAIN GRANTS FROM WASTEWATER AND DRINKING**
39 **WATER RESERVES**

40 **SECTION 12.2.(h)** G.S. 159G-36(c) reads as rewritten:

41 "(c) Certain Reserve Recipient Limit. – The following limits apply to the loan or grant
42 types made from the Wastewater Reserve or the Drinking Water Reserve to the same local
43 government unit or nonprofit water corporation:

- 44 (1) The amount of loans awarded for a fiscal year may not exceed three million
45 dollars (\$3,000,000).
- 46 (2) The amount of loans awarded for three consecutive fiscal years for targeted
47 interest rate projects may not exceed three million dollars (\$3,000,000).
- 48 (3) The amount of project grants awarded for three consecutive fiscal years may
49 not exceed three million dollars (\$3,000,000).

- 1 (4) The amount of merger/regionalization feasibility grants awarded for three
2 consecutive fiscal years may not exceed ~~fifty thousand dollars~~
3 ~~(\$50,000)~~ seventy-five thousand dollars (\$75,000).
- 4 (5) The amount of asset inventory and assessment grants awarded for three
5 consecutive fiscal years may not exceed ~~one hundred fifty thousand dollars~~
6 ~~(\$150,000)~~ two hundred twenty-five thousand dollars (\$225,000)."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DEQ-H3(S12.6)i

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

BEACH AND INLET MANAGEMENT PLAN AND REPORT

SECTION 12.6.(a) Article 21 of Chapter 143 of the General Statutes is amended by adding a new Part 8E, to be entitled "Beach and Inlet Management Planning." Section 4.9 of S.L. 2017-10 is repealed. Section 13.9 of S.L. 2000-67 is codified within Part 8E, as follows:

- (1) Section 13.9(a) is codified as G.S. 143-215.73N, to be entitled "Findings."
- (2) Sections 13.9(b), 13.9(c), and 13.9(d) are codified as subsections (a), (b), and (c) of G.S. 143-215.73O, to be entitled "Beach and inlet management plan."
- (3) Section 13.9(e) is repealed.
- (4) Section 13.9(f) is codified as G.S. 143-215.73P, to be entitled "Federal funds; matching."

SECTION 12.6.(b) Part 8E of Article 21 of Chapter 143 of the General Statutes, as enacted by subsection (a) of this section, reads as rewritten:

"Part 8E. Beach and Inlet Management Planning.

"§ 143-215.73N. Findings.

The General Assembly makes the following findings:

- (1) North Carolina has 320 miles of ocean beach, including some of the most pristine and attractive beaches in the country.
- (2) The balance between economic development and quality of life in North Carolina has made our coast one of the most desirable along the Atlantic Seaboard.
- (3) North Carolina's beaches are vital to the State's tourism industry.
- (4) North Carolina's beaches belong to all the State's citizens and provide recreational and economic benefits to our residents statewide.
- (5) Beach erosion can threaten the economic viability of coastal communities and can significantly affect State tax revenues.
- (6) The Atlantic Seaboard is vulnerable to hurricanes and other coastal storms, and it is prudent to take precautions such as beach nourishment that protect and conserve the State's beaches and reduce property damage and flooding.
- (7) Beach renourishment as an erosion control method provides hurricane flood protection, enhances the attractiveness of beaches to tourists, restores habitat for turtles, shorebirds, and plants, and provides additional public access to beaches.
- (8) Federal policy previously favored and assisted voluntary movement of structures threatened by erosion, but this assistance is no longer available.
- (9) Relocation of structures threatened by erosion is sometimes the best available remedy for the property owner and is in the public interest.
- (10) Public parking and public access areas are needed for use by the general public to enable their enjoyment of North Carolina's beaches.
- (11) Acquisition of high erosion hazard property by local or State agencies can reduce risk to citizens and property, reduce costs to insurance policyholders,

1 improve public access to beaches and waterways, and protect the
2 environment.

3 (12) Beach nourishment projects such as those at Wrightsville Beach and Carolina
4 Beach have been very successful and greatly reduced property damage during
5 ~~Hurricane Fran.~~ hurricanes and other coastal storms that have impacted the
6 State's coast.

7 (13) Because local beach communities derive the primary benefits from the
8 presence of adequate beaches, a program of beach management and
9 restoration should not be accomplished without a commitment of local funds
10 to combat the problem of beach erosion.

11 (14) ~~The~~ With limited exceptions, the State of North Carolina prohibits seawalls
12 and hardening the shoreline to prevent destroying the public's beaches.

13 (15) Beach nourishment is encouraged by both the Coastal Resources Commission
14 and the U.S. Army Corps of Engineers as a method to control beach erosion.

15 (16) The Department of ~~Environment and Natural Resources~~ Environmental
16 Quality has statutory authority to assist local governments in financing beach
17 nourishment projects and is the sponsor of several federal navigation projects
18 that result in dredging beach-quality sand.

19 (17) It is declared to be a necessary governmental responsibility to properly
20 manage and protect North Carolina's beaches from erosion and that good
21 planning is needed to assure a cost-effective and equitable approach to beach
22 management and restoration, and that as part of a comprehensive response to
23 beach erosion, sound policies are needed to facilitate the ability of landowners
24 to move threatened structures and to allow public acquisition of appropriate
25 parcels of land for public beach access.

26 **"§ 143-215.730. Beach and inlet management plan.**

27 (a) The Department of ~~Environment and Natural Resources~~ Environmental Quality shall
28 compile and evaluate information on the current conditions and erosion rates of beaches, on
29 coastal geology, and on storm and erosion hazards for use in developing a State plan and strategy
30 for beach management and restoration. The Department of ~~Environment and Natural Resources~~
31 Environmental Quality shall make this information available to local governments for use in
32 land-use planning.

33 (b) The Department of Environment and Natural Resources shall develop a multiyear
34 beach management and restoration strategy and plan that does all of the following:

35 (1) Utilizes the data and expertise available in the Divisions of Water Resources,
36 Coastal Management, and Energy, Mineral, and Land Resources.

37 (2) Identifies the erosion rate at each beach community and estimates the degree
38 of vulnerability to storm and hurricane damage.

39 (3) Uses the best available geological and geographical information to determine
40 the need for and probable effectiveness of beach nourishment.

41 (4) Provides for coordination with the U.S. Army Corps of Engineers, the North
42 Carolina Department of Transportation, the North Carolina Division of
43 Emergency Management, and other State and federal agencies concerned with
44 beach management issues.

45 (5) Provides a status report on all U.S. Army Corps of Engineers' beach protection
46 projects in the planning, construction, or operational stages.

47 (6) Makes maximum feasible use of suitable sand dredged from navigation
48 channels for beach nourishment to avoid the loss of this resource and to reduce
49 equipment mobilization costs.

50 (7) Promotes inlet sand bypassing where needed to replicate the natural flow of
51 sand interrupted by inlets.

- 1 (8) Provides for geological and environmental assessments to locate suitable
2 materials for beach nourishment.
- 3 (9) Considers the regional context of beach communities to determine the most
4 cost-effective approach to beach nourishment.
- 5 (10) Provides for and requires adequate public beach access, including
6 handicapped access.
- 7 (11) Recommends priorities for State funding for beach nourishment projects,
8 based on the amount of erosion occurring, the potential damage to property
9 and to the economy, the benefits for recreation and tourism, the adequacy of
10 public access, the availability of local government matching funds, the status
11 of project planning, the adequacy of project engineering, the
12 cost-effectiveness of the project, and the environmental impacts.
- 13 (11a) Includes a four-year cycle of planned maintenance and resiliency projects for
14 the State's beaches and inlets.
- 15 (12) Includes recommendations on obtaining the maximum available federal
16 financial assistance for beach nourishment.
- 17 (13) Is subject to a public hearing to receive citizen input.

18 (c) Each plan shall be as complete as resources and available information allow. The
19 Department of ~~Environment and Natural Resources~~ Environmental Quality shall revise the plan
20 every two years and shall submit the revised plan to the General Assembly no later than March
21 1 of each odd-numbered year. The Department may issue a supplement to the plan in
22 even-numbered years if significant new information becomes available.

23 "**§ 143-215.73P. Federal funds; matching.**

24 In the event that federal funds become available for planning and developing shore protection
25 projects, the State shall match those funds in accordance with the funding guidelines set out in
26 G.S. 143-215.71."

27 **SECTION 12.6.(c)** The Department of Environmental Quality shall provide an
28 interim report no later than March 1, 2026, on its progress toward updating the beach and inlet
29 management plan and meeting the March 1, 2027, deadline set forth in G.S. 143-215.73O(c), as
30 enacted by subsection (b) of this section. The report shall be provided to the Environmental
31 Review Commission, the Joint Legislative Oversight Commission on Agriculture and Natural
32 and Economic Resources, and the Fiscal Research Division.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DEQ-H4(S12.7)i

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

DOWNSTREAM INUNDATION MAPS

SECTION 12.7.(a) G.S. 143-215.31 reads as rewritten:

"§ 143-215.31. Supervision over maintenance and operation of dams.

...

(a1) The owner of a dam classified by the Department as a high-hazard dam or an intermediate-hazard dam shall develop an Emergency Action Plan for the dam as provided in this subsection:

...

(6) Information included in an Emergency Action Plan that constitutes sensitive public security information, as provided in G.S. 132-1.7, shall be maintained as confidential information and shall not be subject to disclosure under the Public Records Act. For purposes of this section, "sensitive public security information" ~~shall include~~ includes Critical Energy Infrastructure Information protected from disclosure under rules adopted by the Federal Energy Regulatory Commission in ~~18 C.F.R. § 388.112~~ 18 C.F.R. § 388.112, but does not include Emergency Action Plans or downstream inundation maps associated with impoundments or dams not regulated by the Federal Emergency Regulatory Commission.

...."

SECTION 12.7.(b) G.S. 143-215.32A reads as rewritten:

"§ 143-215.32A. Dam Safety Emergency Fund.

(a) Establishment; Purpose. – There is established the Dam Safety Emergency Fund within the Department, as set forth in this section. The Fund shall be used to defray expenses incurred by the Department in developing and implementing an emergency dam safety remedial plan and assessing overtopping risk for high hazard and intermediate hazard dams.

(b) Eligible Expenses. – The Fund may be used for the following expenses:

- (1) Developing and implementing an emergency dam safety remedial plan that has been approved by the Department, including expenses incurred to contract with any third party for services related to plan development or implementation.
- (2) Performing overtopping studies for dams categorized by the Department as high hazard or intermediate hazard for which the Department currently has no or inadequate overtopping risk information.
- (3) Provision of technical assistance to dam owners or operators with downstream inundation mapping requirements for dams categorized by the Department as high hazard or intermediate hazard.

...."

SECTION 12.7.(c) G.S. 66-58 reads as rewritten:

"§ 66-58. Sale of merchandise or services by governmental units.

(a) Except as provided in this section, it is unlawful for any unit, department, or agency of the State government, or any division or subdivision of the unit, department, or agency, or any

1 individual employee or employees of the unit, department, or agency in his, her, or their capacity
2 as employee or employees thereof to engage directly or indirectly in the sale of goods, wares, or
3 merchandise in competition with citizens of the State, or to engage in the operation of restaurants,
4 cafeterias or other eating places in any building owned by or leased in the name of the State, or
5 to maintain service establishments for the rendering of services to the public ordinarily and
6 customarily rendered by private enterprises, or to provide transportation services, or to contract
7 with any person, firm, or corporation for the operation or rendering of the businesses or services
8 on behalf of the unit, department, or agency, or to purchase for or sell to any person, firm, or
9 corporation any article of merchandise in competition with private enterprise. The leasing or
10 subleasing of space in any building owned, leased, or operated by any unit, department, agency,
11 division, or subdivision of the State for the purpose of operating or rendering of any of the
12 businesses or services referred to in this section is prohibited.

13 ...

14 (c) The provisions of subsection (a) of this section shall not prohibit:

15 ...

16 (23) Assistance with the creation of downstream inundation maps required for the
17 preparation of Emergency Action Plans, as required by G.S. 143-215.31(a1),
18 provided by the Department of Environmental Quality to owners or operators
19 of high-hazard dams."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DEQ-H6A(S12.9)-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

NO SECOND BITE FOR STORMWATER AND SEWER PERMITTING REVIEW

SECTION 12.9.(a) G.S. 143-214.7(b6) reads as rewritten:

"(b6) Permitting under the authority granted to the Commission by this section shall comply with the procedures and time lines set forth in this subsection. For any development necessitating stormwater measures subject to this section, applications for new permits, permit modifications, permit transfers, permit renewals, and decisions to deny an application for a new permit, permit modification, transfer, or renewal shall be in writing. Where the Commission has provided a digital submission option, such submission shall constitute a written submission. The Commission shall act on a permit application as quickly as possible. The Commission may conduct any inquiry or investigation it considers necessary before acting on an application and may require an applicant to submit plans, specifications, and other information the Commission considers necessary to evaluate the application. If the Commission fails to act on an application for a permit or for a renewal of a permit as specified in this subsection after the applicant submits all information required by the Commission, the application shall be deemed approved without modification. ~~The following provisions apply:~~ The following provisions apply:

- (1) The Commission shall perform an administrative review of a new application and of a resubmittal of an application determined to be incomplete under subdivision (3) of this subsection within 10 working days of receipt to determine if the information is administratively complete. If complete, the Commission shall issue a receipt letter or electronic response stating that the application is complete and that a 70-calendar day technical review period has started as of the original date the application was received. If required items or information is not included, the application shall be deemed incomplete, and the Commission shall issue an application receipt letter or electronic response identifying the information required to complete the application package before the technical review begins. When the required information is received, the Commission shall then issue a receipt letter or electronic response specifying that it is complete and that the 70-calendar day review period has started as of the date of receipt of all required information. The Commission shall develop an application package checklist identifying the items and information required for an application to be considered administratively complete. After issuing a letter or electronic response requesting additional information based on the original submittal under this subdivision, the Commission shall not subsequently request additional information that was not previously identified as missing or required in that additional information letter or electronic response from the original submittal. The Commission may, however, respond to subsequent additional information letters or electronic responses with a request for additional information limited to information missing from that subsequent additional information letter or electronic response.

...."

1 **SECTION 12.9.(b)** G.S. 143-215.1(d) reads as rewritten:

2 "(d) Applications and Permits for Sewer Systems, Sewer System Extensions and
3 Pretreatment Facilities, Land Application of Waste, and for Wastewater Treatment Facilities Not
4 Discharging to the Surface Waters of the State. –

5 (1) Application in writing. – All applications for new permits and for renewals of
6 existing permits for sewer systems, sewer system extensions and for disposal
7 systems, and for land application of waste, or treatment works which do not
8 discharge to the surface waters of the State, and all permits or renewals and
9 decisions denying any application for permit or renewal shall be in writing.
10 Where the Commission has provided a digital submission option, the
11 submission shall constitute a written submission.

12 (1a) Application review. – The Commission shall act on a permit application as
13 quickly as possible. The Commission may conduct any inquiry or
14 investigation it considers necessary before acting on an application and may
15 require an applicant to submit plans, specifications, and other information the
16 Commission considers necessary to evaluate the application. After issuing a
17 request for additional information based on the original application submittal,
18 the Commission shall not subsequently request additional information that
19 was not previously identified as missing or required in that request for
20 additional information based on the original application submittal. The
21 Commission may, however, respond to subsequent submissions of additional
22 information with a request for additional information limited to information
23 missing from that subsequent submission. Permits and renewals issued in
24 approving such facilities pursuant to this subsection shall be effective until the
25 date specified therein or until rescinded unless modified or revoked by the
26 Commission. If the Commission fails to act on an application for a permit or
27 for a renewal of a permit as specified in this subdivision after the applicant
28 submits all information required by the Commission, the application shall be
29 deemed approved.

30 (1c) Notice for land application of bulk residuals. – Prior to acting on a permit
31 application for the land application of bulk residuals resulting from the
32 operation of a wastewater treatment facility, the Commission shall provide
33 notice and an opportunity for comment from the governing board of the
34 county in which the site of the land application of bulk residuals is proposed
35 to be located.

36 (1d) Pretreatment programs. – Local governmental units to whom pretreatment
37 program authority has been delegated shall establish, maintain, and provide to
38 the public, upon written request, a list of pretreatment applications received.
39 ~~If the Commission fails to act on an application for a permit or for a renewal~~
40 ~~of a permit as specified in this subdivision after the applicant submits all~~
41 ~~information required by the Commission, the application shall be deemed~~
42 ~~approved.~~

43 a-(1e) Fast-track sewer extensions. – Where a professional engineer provides
44 certification that the design meets or exceeds Minimum Design Criteria
45 developed by the Department applicable to the project, the Commission shall
46 perform a review of a new application for a sewer system extension permit
47 within 45 days of receipt of a complete ~~application.~~ application as provided in
48 this subdivision. A complete application is defined as an application that
49 includes all the required components described in the application form.

50 a. Administrative review. – The Commission shall perform an
51 administrative review of a new application within 10 days of receipt

1 to determine if all the required information is included in the
2 application. If complete, the Commission shall issue a receipt letter or
3 electronic response stating that the application is complete and that a
4 45-calendar day technical review period has started as of the original
5 date the complete application was received.

6 b. Application incomplete. – If required items or information is not
7 included, the application shall be deemed incomplete, and the
8 Commission shall issue an application receipt letter or electronic
9 response identifying the information required to complete the
10 application package before the technical review begins. When the
11 required information is received, the Commission shall then issue a
12 receipt letter or electronic response specifying that it is complete and
13 that the 45-calendar day review period has started as of the date of
14 receipt of all required information. If additional information is
15 required to complete the technical review, the Commission shall issue
16 a request for additional information required to complete the review,
17 and the review time shall pause until the additional information is
18 received. If the requested additional information is not received within
19 30 days, the application shall be returned to the applicant. Upon receipt
20 of the requested additional information, the review time shall restart at
21 the same day it was paused by the additional information request. After
22 issuing a request for additional information based on the original
23 submittal under this sub-subdivision, the Commission shall not
24 subsequently request additional information that was not previously
25 identified as missing or required in that request for additional
26 information based on the original submittal. The Commission may,
27 however, respond to subsequent submissions of additional information
28 with a request for additional information limited to information
29 missing from that subsequent submission.

30 c. Application approved. – If approved, the Commission shall issue an
31 approval letter or electronic correspondence indicating approval of the
32 application. After construction of the sewer system is completed, and
33 within 14 days of receiving all necessary certifications from a
34 professional engineer that the sewer system extension complies with
35 all applicable rules and Minimum Design Criteria, the Commission
36 shall issue a receipt of certification. Applications for alternative sewer
37 systems as defined in sub-subdivision ~~b-d.~~ of this subdivision are not
38 eligible for this fast-track review.

39 ~~b-d.~~ ~~{Alternative sewer system defined.}~~ Alternative sewer system
40 defined. – "Alternative sewer system" means any sewer system or
41 collection system other than a gravity system or standard pump station
42 and force main. These include pressure sewer systems, septic tank with
43 effluent pump (STEP) sewer systems, vacuum sewer system, and
44 small diameter variable grade gravity sewers.

45"

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DEQ-H11-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

FEE FOR THE DISTRIBUTION OF ANIMAL WASTE RESIDUAL SOLIDS

SECTION #.(a) G.S. 143-215.10G reads as rewritten:

**"§ 143-215.10G. Fees for animal waste management ~~systems~~systems and distribution
animal waste residuals management systems.**

...

(a2) The Department shall charge an annual permit fee for an animal waste residuals management system that is subject to a permit under G.S. 143-215.1 for distribution of animal waste residual solids according to the following schedule:

(1) For a system with a permitted capacity of less than 3,000 dry tons of animal waste residual solids a year, sixty dollars (\$60.00).

(2) For a system with a permitted capacity of 3,000 dry tons or more of animal waste residual solids a year, one hundred eighty dollars (\$180.00).

...."

SECTION #.(b) G.S. 143-215.3D(a) is amended by adding a new subdivision to

read:

"(11) Animal Waste Residual Management Systems. – The annual fee for animal waste residuals management systems is as set out in G.S. 143-215.10G."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DEQ-H7(S12.11)i

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

ESTABLISH NON-TITLE V FEES IN STATUTE

SECTION 12.11. G.S. 143-215.3(a)(1b) reads as rewritten:

"(1b) ~~The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing an application for a permit under G.S. 143-215.108 and G.S. 143-215.109 of Article 21B of this Chapter may not exceed five hundred dollars (\$500.00).~~ The Department shall charge permit fees pursuant to G.S. 143-215.3(a)(1a) to non-Title V facilities subject to permitting under G.S. 143-215.108 and G.S. 143-215.109 of Article 21B of this Chapter according to the following schedule:

- a. For facilities seeking federally enforceable limits to avoid Title V permitting, application fees of eight hundred dollars (\$800.00) and annual fees of three thousand seventy dollars (\$3,070).
- b. For facilities with a potential to emit below Title V thresholds, except for general permits, application fees of one hundred dollars (\$100.00) and annual fees of four hundred dollars (\$400.00).
- c. The fee for an ownership change shall be fifty dollars (\$50.00).
- d. The Department may provide a discount of up to twenty-five percent (25%) on annual fees authorized by sub-subdivisions a. and b. of this subdivision.

The fee to be charged pursuant to G.S. 143-215.3(a)(1a) for processing a registration under Part 2A of this Article or Article 38 of this Chapter may not exceed fifty dollars (\$50.00) for any single registration. An additional fee of twenty percent (20%) of the registration processing fee may be assessed for a late registration under Article 38 of this Chapter. The fee for administering and compliance monitoring under Article 21, other than Parts 1 and 1A, ~~and G.S. 143-215.108 and G.S. 143-215.109 of Article 21B~~ shall be charged on an annual basis for each year of the permit term and may not exceed one thousand five hundred dollars (\$1,500) per year. Fees for processing all permits under Article 21A ~~and all other sections of Article 21B~~ shall not exceed one hundred dollars (\$100.00) for any single permit. The total payment for fees that are set by the Commission under this subsection for all permits for any single facility shall not exceed seven thousand five hundred dollars (\$7,500) per year, which amount shall include all application fees and fees for administration and compliance monitoring. A single facility is defined to be any contiguous area under one ownership and in which permitted activities occur. For all permits issued under these Articles where a fee schedule is not specified in the statutes, the Commission, or other commission specified by statute shall adopt a fee schedule in a rule following the procedures established by the Administrative Procedure Act. Fee schedules shall be established to reflect the size of the emission or discharge, the potential impact on the environment, the staff costs involved, relative costs of the issuance of new

1 permits and the reissuance of existing permits, and shall include adequate
2 safeguards to prevent unusual fee assessments which would result in serious
3 economic burden on an individual applicant. A system shall be considered to
4 allow consolidated annual payments for persons with multiple permits. In its
5 rulemaking to establish fee schedules, the Commission is also directed to
6 consider a method of rewarding facilities which achieve full compliance with
7 administrative and self-monitoring reporting requirements, and to consider, in
8 those cases where the cost of renewal or amendment of a permit is less than
9 for the original permit, a lower fee for the renewal or amendment."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DEQ-H8(S12.12)i

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

CLARIFY BIENNIAL FEE ADJUSTMENT REQUIREMENTS

SECTION 12.12.(a) G.S. 143B-279.19 reads as rewritten:

"§ 143B-279.19. ~~Quadriennial~~ Biennial adjustment of certain fees and rates.

(a) Adjustment for Legislatively Mandated Salaries and Benefits. – Beginning July 1, 2025, and every ~~four~~ two years thereafter, the Department shall adjust the fees and rates imposed pursuant to the statutes listed in this subsection in accordance with the Consumer Price Index computed by the Bureau of Labor Statistics (CPI) during the prior ~~two bienniums~~ biennium; provided, however, that any increase in a fee or rate under this subsection shall not exceed the cost of the service being provided. If a fee or rate was increased during the prior biennium by the enactment of a general law, the adjustment under this subsection shall reflect only the change in the CPI since that enactment. The adjustment for per transaction rates shall be rounded to the nearest dollar (\$1.00):

- (1) G.S. 74-54.1.
- (2) G.S. 90A-42.
- (3) G.S. 90A-47.4.
- (4) G.S. 113A-54.2.
- (5) G.S. 113A-119.1.
- (6) G.S. 130A-291.1.
- (7) G.S. 130A-294.1.
- (8) G.S. 130A-295.8.
- (9) G.S. 130A-310.9.
- (10) G.S. 130A-310.39.
- (11) G.S. 130A-310.76.
- (12) G.S. 130A-328(b).
- (13) G.S. 130A-328(c).
- (13a) G.S. 143-215.3(1b).
- (14) G.S. 143-215.3D.
- (15) G.S. 143-215.10G.
- (16) G.S. 143-215.28A
- (17) G.S. 143-215.94C.
- (18) G.S. 143-215.119.
- (19) G.S. 143-215.125A.
- (20) G.S. 143B-279.13.

...."

SECTION 12.12.(b) This section is effective June 30, 2025.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DEQ-H9(S12.8)-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

***AUTHORIZE THE ENVIRONMENTAL MANAGEMENT COMMISSION TO EMPLOY
INDEPENDENT STAFF***

SECTION 12.8. G.S. 143B-283 reads as rewritten:

**"§ 143B-283. Environmental Management Commission – members; selection; removal;
compensation; quorum; services.**

...

(b4) ~~Administrative Support. All clerical and other services required by the Commission
shall be supplied by the Secretary of Environmental Quality.~~ Commission Staff, Structure, and
Function. –

(1) The chair is authorized and empowered to employ professional,
administrative, technical, and clerical personnel as the chair may determine to
be necessary in the proper discharge of the Commission's duties and
responsibilities as provided by law. The chair shall organize and direct the
work of the Commission staff.

(2) The salaries and compensation of all such personnel shall be fixed in the
manner provided by law for fixing and regulating salaries and compensation
by other State agencies.

(3) The chair, within allowed budgetary limits and as allowed by law, shall
authorize and approve travel, subsistence, and related expenses of such
personnel incurred while traveling on official business.

...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-DEQ-H13A-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

CLARIFY REQUIREMENTS FOR HAZARDOUS WASTE RECYCLING

SECTION #. G.S. 130A-290(a)(9) reads as rewritten:

"(9) "Hazardous waste facility" means a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste. The term includes any facility that receives shipments of hazardous waste from off-site to be recycled or processed for recycling through any process conducted at the facility. Hazardous waste facility does not include a hazardous waste transfer facility that meets the requirements of 40 Code of Federal Regulations § 263.12 (1 July 2006)."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-DEQ-H16-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

SOLID WASTE BENEFICIAL REUSE CLARIFICATION

SECTION #.(a) G.S. 130A-309.05 reads as rewritten:

"§ 130A-309.05. Regulated wastes; certain exclusions.

(a) Certain Wastes Regulated as Nonhazardous. — Notwithstanding other provisions of this Article, the following waste shall be regulated pursuant to this Part:

(1) Medical waste; and waste.

(2) Ash generated by a solid waste management facility from the burning of solid waste.

(b) Management of Ash Generated from Burning of Solid Waste. — Ash generated by a solid waste management facility from the burning of solid waste shall be disposed of in a properly designed solid waste disposal area that complies with standards developed by the Department for the disposal of the ash. The Department shall work with solid waste management facilities that burn solid waste to identify and develop methods for recycling and reusing incinerator ash or treated ash.

(c) Recovered Material. — Recovered material is not subject to ~~regulation as permitting requirements for solid waste under this Article. In order for a material that would otherwise be regulated as solid waste to qualify as a recovered material, the~~ The Department may require any person who owns or has control over the material to demonstrate that the material meets the requirements of this subsection. In order to protect public health and the environment, the Commission subsection or may require the person to obtain a beneficial use determination from the Department in accordance with subsection (d) of this section. The Department may adopt rules to implement this subsection. Materials that are accumulated speculatively, as that term is defined under 40 Code of Federal Regulations § 261 (July 1, 2014 Edition), shall not qualify as a recovered material, and shall be subject to regulation as solid waste. In order to qualify as a recovered material, the material. The material shall be managed as a valuable commodity in a manner consistent with the desired use or end use, and all of the following conditions shall be met:

(1) Seventy-five percent (75%), by weight or volume, of the recovered material stored at a facility at the beginning of a calendar year commencing January 1, shall be removed from the facility through sale, use, or reuse by December 31 of the same year.

(2) The recovered material or the products or by-products of operations that process recovered material shall not be discharged, deposited, injected, dumped, spilled, leaked, or placed into or upon any land or water so that the products or by-products or any constituent thereof may enter other lands or be emitted into the air or discharged into any waters including groundwaters, or otherwise enter the environment or pose a threat to public health and safety. Facilities that process recovered material shall be operated in a manner to ensure compliance with this subdivision.

- 1 (3) The recovered material shall not be a hazardous waste or have been recovered
2 from a hazardous waste.
- 3 (4) The recovered material shall not contain significant concentrations of foreign
4 constituents that render it unserviceable or inadequate for sale, or its intended
5 use or reuse.

6 (d) Beneficial Use Determination. – For the purposes of preservation of landfill capacity,
7 economic development, energy savings, and reduction of greenhouse emissions, the Department
8 may determine whether nonhazardous solid waste may be used or reused for a particular site or
9 application as an alternative to disposal at a permitted solid waste management facility as set
10 forth in this subsection.

- 11 (1) A person seeking a beneficial use determination shall submit an application to
12 the Department. The Department, after a review of an application submitted
13 under this subsection, may take any of the following actions:

- 14 a. Authorize management of a specified type of nonhazardous solid
15 waste at a site other than a permitted solid waste management facility.
16 b. Issue a beneficial use determination with appropriate conditions for
17 use of specific types of solid waste in construction, land application,
18 or other projects and applications.

- 19 (2) An applicant for a determination under this subsection shall submit
20 information on forms prescribed by the Department and any additional
21 information required by the Department necessary for a determination under
22 this subsection. In its review of the application and additional information, the
23 Department shall also consider internal research or information submitted by
24 any person or entity concerning the potential hazard to public health or the
25 environment of any type of solid waste.

- 26 (3) The Department may require submittal of a demonstration that the solid waste
27 is being managed in a manner to protect public health or the environment and
28 may include any of the following as a part of an authorization under
29 subdivision (1) of this subsection:

- 30 a. Requirements for periodic testing of solid wastes.
31 b. Conditions to ensure that the products or by-products of a material
32 recovered or diverted for beneficial use shall not be discharged,
33 deposited, injected, dumped, spilled, leaked, or placed into or upon
34 any land or water so that the products or by-products or any
35 constituents thereof may enter other lands or be emitted into the air, or
36 discharged into any waters, including groundwaters, or otherwise enter
37 the environment or pose a threat to public health and safety.

- 38 (4) Approvals granted under this subsection are valid for no longer than five
39 years. Requests for renewal shall be made at least 60 days in advance of the
40 expiration date of the approval.

- 41 (5) The applicant for a determination under this subsection shall submit to the
42 Department on an annual basis a report detailing the usage of material under
43 the approval and certifying compliance with this Article and any applicable
44 rules adopted under this Article.

- 45 (6) The Department may suspend or revoke an authorization and may modify an
46 authorization if it is determined that the activity is not in compliance with the
47 requirements of applicable laws or rules or if new information is provided to
48 the Department that impacts the determination of protection of public health
49 or the environment.

- 50 (7) The Department shall provide notice on its website of approved beneficial use
51 determinations.

- 1 (8) Facilities that manage source separated materials for the purpose of recycling
2 as defined in G.S. 130A-290 are not subject to the provisions of this
3 subsection.
4 (9) The Department may adopt rules implementing this subsection and
5 establishing application fees for a reuse determination under this subsection.
6 All fees collected under this subdivision shall be credited to the Solid Waste
7 Management Account established under G.S. 130A-295.8(a). In determining
8 the amount of the total application fee in rule, the Department shall have the
9 authority to establish separate fee amounts for annual fees for each year based
10 on the length of time for which the approval will be valid as requested by the
11 applicant."

12 **SECTION #.(b)** This section becomes effective January 1, 2026.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DEQ-H15-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

MODIFY PAYMENT OF BROWNFIELDS PROPERTY REUSE ACT FEES

SECTION #.(a) G.S. 130A-310.39 reads as rewritten:

"§ 130A-310.39. Fees.

(a) The Department shall collect the following fees:

(1) A prospective developer who submits an application for a proposed brownfields agreement for review by the Department shall pay an initial fee of two thousand dollars (\$2,000).

(2) A prospective developer who enters into a brownfields agreement with the Department shall ~~pay-pay, on a schedule that the Department may specify, a fee in an amount equal to the full cost to the Department and the Department of Justice of all activities related to the brownfields agreement, including but not limited to negotiation of the brownfields agreement, public notice and community involvement, and monitoring the implementation of and compliance with the brownfields agreement.~~ agreement and requirements of this Part regarding the Notice of Brownfields Property. The procedure by which the amount of this fee is determined shall be established by agreement between the prospective developer and the Department and shall be set out as a part of the brownfields agreement. ~~The fee imposed by this subdivision shall be paid in two installments. The first installment shall be due at the time the prospective developer and the Department enter into the brownfields agreement and shall equal all costs that have been incurred by the Department and the Department of Justice at that time less the amount of the initial fee paid pursuant to subdivision (1) of this subsection. The Department shall not enter into the brownfields agreement unless the first installment is paid in full when due. The second installment shall be due at the time the prospective developer submits a final report certifying completion of remediation under the brownfields agreement and shall include any additional costs that have been incurred by the Department and the Department of Justice, including all costs of monitoring the implementation of the brownfields agreement.~~

(3) Any prospective developer or owner of properties subject to a recorded Notice of Brownfields Property who is out of compliance with the requirements of this Part regarding the Notice shall pay a fee to the Department and the Department of Justice sufficient to cover the costs to the State to enforce or otherwise seek to correct the noncompliance.

(b) Fees and interest imposed under this section shall be credited to the Brownfields Property Reuse Act Implementation Account.

(c) If a prospective developer fails to pay the full amount of any fee due under this section, interest on the unpaid portion of the fee shall accrue from the time the fee is due until paid at the rate established by the Secretary of Revenue pursuant to G.S. 105-241.21. A lien for the amount of the unpaid fee plus interest shall attach to the real and personal property of the

1 prospective developer and to the brownfields property until the fee and interest is paid. The
2 Department may collect unpaid fees and interest in any manner that a unit of local government
3 may collect delinquent taxes."

4 **SECTION #.(b)** This section becomes effective January 1, 2026.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DEQ-H14-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

MORATORIUM ON ISSUANCE OF CERTIFICATES FOR CERTAIN SURFACE WATER TRANSFERS

SECTION #.(a) Findings. – The General Assembly finds that the State's laws regulating surface water transfers, originally enacted more than 30 years ago, should be comprehensively reviewed and evaluated for updates in light of the State's tremendous economic and population growth and the impact of natural disasters on riverine and water reservoir systems over that period. In particular, the General Assembly finds that the approval of proposed transfers that are significant in terms of their size compared to the overall hydrologic flow, current and future water storage capacity, and cumulative water resources demands within the source river basin should be temporarily paused while this review and evaluation is ongoing.

SECTION #.(b) Study. – The North Carolina Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall study the current statutory process for approval of surface water transfers and provide any recommendations for legislation revising that process that the Collaboratory finds is needed. As part of its study, the Collaboratory shall review all of the following:

- (1) The adequacy of the requirements for an environmental impact study set forth in G.S. 143-215.22L(d) in ensuring that all impacts on upstream and downstream users of water in the river basin are comprehensively and equitably compiled and considered.
- (2) Whether the information on which the Environmental Management Commission (EMC) bases final certification decisions adequately takes into account (i) issues of economic equity for lower income and lower population communities in the source river basin that would experience potential impacts on future economic growth due to the proposed transfer, (ii) negative impacts of increases in water pollutant concentration caused by large surface water transfers on riverine ecosystems, and (iii) whether the denial of the surface transfer request would result in a substantial increase in utility rates or otherwise cause a financial hardship due to alternative infrastructure construction costs for the requesting party.
- (3) Changes to the process needed to reflect the impact of recent climate trends that impact the range of water flows in the State's mainstem rivers during periods of extreme heat, drought, or flooding events.
- (4) How to build into the certification process incentives for parties requesting surface water transfers to implement land use, infrastructure, and drought resiliency policies that will reduce the size of transfers needed to meet future water demands.
- (5) Any other matters the Collaboratory deems relevant to its efforts to increase the fairness and effectiveness of the surface water transfer certification requirements.

1 **SECTION #.(c)** Consultation. – In conducting the study required by subsection (b)
2 of this section, the Collaboratory will consult with the Army Corps of Engineers and other private
3 or public entities with management responsibilities over water impoundments with respect to the
4 impact of significant surface water transfers, as defined in subsection (e) of this section, on those
5 impoundments continuing to meet their present levels and future projected needs for
6 hydroelectric power generation and water supply.

7 **SECTION #.(d)** Report. – By January 1, 2027, the Collaboratory shall report its
8 findings, along with any legislative recommendations, to the Joint Legislative Oversight
9 Committee on Agriculture and Natural and Economic Resources.

10 **SECTION #.(e)** Moratorium on Certain Surface Water Transfer Certificates. – In
11 order to permit sufficient time for the General Assembly to complete the study, the EMC shall
12 not issue a certificate authorizing a significant new surface water transfer or a significant increase
13 in an existing surface water transfer until the end of the moratorium provided in this section. The
14 moratorium in this section shall end six months after the submission of the report required by
15 subsection (d) of this section. For purposes of this section, a proposed new or increased surface
16 water transfer is significant if it would result in a total increase in transfer between river basins,
17 as defined in G.S. 143-215.22G, in excess of 15,000,000 gallons per day.

18 **SECTION #.(f)** This section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DEQ-H17-P

Department of Environmental Quality
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

REVISE STEWARDSHIP LAWS

SECTION #. G.S. 143-214.15 reads as rewritten:

"§ 143-214.15. Compensatory mitigation for diverse habitats.

(a) The Department of Environmental Quality shall seek more net gains of aquatic resources through compensatory mitigation by increasing wetland establishment of diverse habitats, including emergent marsh habitat, shallow open water, and other forested and non-forested wetland habitats.

(b) The Department of Environmental Quality shall further establish with the district engineer of the Wilmington District of the United States Army Corps of Engineers compensatory mitigation credit ratios that incentivize the creation or establishment of diverse wetland habitats to support waterfowl and other wildlife.

(c) The Department of Environmental Quality shall work in cooperation with the Wildlife Resources Commission to ensure that all purchased mitigation lands or conservation easements on these lands ~~maximize opportunities for public recreation, including hunting, and promote wildlife and biological diversity.~~ prioritize management practices that promote wildlife and biological diversity and, where feasible, provide opportunities for public recreation, including hunting by property owners and lessees. The Department and the Commission shall pursue the voluntary involvement of third-party groups to leverage resources and ensure that there is no additional cost to private mitigation bankers or the taxpayers in achieving these mitigation credits.

(d) The Stewardship Program of the Department of Environmental Quality shall maintain an inventory of all its land holdings and determine how many of those holdings are potential wildlife habitats, either as currently held or with some modification. The Stewardship Program shall maximize use of these mitigation land holdings as ecological research sites and for hunting leases when the Stewardship Program determines it is feasible to do so.

~~(e) If private individuals, corporations, or other nongovernmental entities wish to purchase any of the inventory of land suitable for wildlife habitat, then the Stewardship Program of the Department of Environmental Quality shall issue a request for proposal to all interested respondents for the purchase of the land. The State shall accept a proposal and proceed to dispose of the land only if the Department determines that the proposal meets both of the following requirements:~~

- ~~(1) The proposal provides for the maintenance in perpetuity of management measures listed in the original mitigation instrument or otherwise needed on an ongoing or periodic basis to maintain the functions of the mitigation site.~~
- ~~(2) Where the functions of the mitigation site include provision of recreation or hunting opportunities to members of the general public, the proposal includes measures needed to continue that level of access.~~

~~The instrument conveying a property interest in a mitigation site shall be executed in the manner required by Article 16 of Chapter 146 of the General Statutes, and shall reflect the requirements of this subsection.~~

1 (f) The Department of Environmental Quality shall report to the Environmental Review
2 Commission by March 1 of each year in which there are changes in inventory during the
3 preceding year under the provisions of this section regarding the changes."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-LAB-H2-P

Department of Labor
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

LABOR FEES/REGULATORY FLEXIBILITY

SECTION #.(a) G.S. 95-107 reads as rewritten:

"§ 95-107. Assessment and collection of fees; certificates of safe operation.

The assessment of the fees adopted by the Commissioner pursuant to G.S. 95-69.11, ~~95-110.5, 95-111.4~~ 95-110.5A, 95-111.4A, and 95-120-95-120A shall be made against the owner or operator of the equipment and may be collected at the time of inspection. If the fees are not collected at the time of inspection, the Department must bill the owner or operator of the equipment for the amount of the fee assessed for the inspection of the equipment and the amount assessed is payable by the owner or operator of the equipment upon receipt of the bill. Certificates of safe operation may be withheld by the Department of Labor until such time as the assessed fees are collected."

SECTION #.(b) G.S. 95-108 reads as rewritten:

"§ 95-108. Disposition of fees.

All fees collected by the Department of Labor pursuant to G.S. 95-69.11, ~~95-110.5, 95-111.4~~ 95-110.5A, 95-111.4A, and 95-120-95-120A shall be deposited with the State Treasurer and shall be used ~~exclusively for inspection~~ inspection, permitting, and certification purposes. Fees deposited pursuant to this section that have not been expended or encumbered at the end of the fiscal year shall not revert but shall remain available for uses consistent with this section."

SECTION #.(c) G.S. 95-110.5(20) is repealed.

SECTION #.(d) Article 14A of Chapter 95 of the General Statutes is amended by adding a new section to read:

"§ 95-110.5A. Fees.

(a) Beginning July 1, 2025, the Department shall charge fees not to exceed the following:

<u>Special Inspection Fee – Expedited</u>	<u>\$1,000</u>
<u>Temporary Limited Certificate for Construction Use Only; Less than 10 Floors</u>	<u>\$200.00</u>
<u>Temporary Limited Certificate for Construction Use Only; 10 or More Floors</u>	<u>\$300.00</u>
<u>Reinspection Fee of Failed New and Repair/Alteration Inspections</u>	<u>\$1,000</u>
<u>Routine/Annual Elevator Inspections; Less than 10 Floors</u>	<u>\$200.00</u>
<u>Routine/Annual Elevator Inspections; 10 or More Floors</u>	<u>\$300.00</u>
<u>Routine/Annual Wheelchair Lift and Dumbwaiter Inspections</u>	<u>\$100.00</u>
<u>Routine/Annual Escalator and Moving Walk Inspections</u>	<u>\$500.00</u>

(b) Upon application to the Department for a new or alteration construction permit for a device subject to this section, an applicant shall submit a permit application fee. The amount of the permit application fee shall be the greater of (i) two hundred dollars (\$200.00) or (ii) one percent (1%) of the contract price for the alteration or installation of the device being permitted.

(c) Notwithstanding any provision of law to the contrary, for fiscal years beginning on or after July 1, 2026, the Department shall adjust the fee amounts listed in subsection (a) of this section in accordance with the percent change in the annual Consumer Price Index computed by the Bureau of Labor Statistics using the most recent 12-month period for which data is available. The adjustment for fees under this subsection shall be rounded to the nearest dollar (\$1.00), and

1 the Commissioner shall publish any increase in fees under this subsection in the North Carolina
2 Register and on the Department's website at least 60 days prior to any increase."

3 **SECTION #.(e)** G.S. 95-111.4(19) is repealed.

4 **SECTION #.(f)** Article 14B of Chapter 95 of the General Statutes is amended by
5 adding a new section to read:

6 "**§ 95-111.4A. Fees.**

7 (a) Beginning July 1, 2025, the Department shall charge fees not to exceed the following:

8 Advance Location Notice (ALN) Application Fee \$25.00

9 Special Inspection Fee – Expedited \$1,000

10 Amusement Major Ride Inspections \$250.00

11 Amusement Return Trip Inspections \$500.00

12 Holiday/Weekend Inspections \$500.00

13 Kiddie Ride Inspections \$100.00

14 Go Kart Inspections (per cart) \$50.00

15 Go Kart Track Inspections \$200.00

16 Amusement Rock Wall Inspections \$100.00

17 Roller Coaster (permanent and portable) Inspections \$500.00

18 Simulators \$100.00

19 Bungee Trampoline Inspections \$100.00

20 Water Slide Inspections \$300.00

21 Train Inspections \$250.00

22 (b) Notwithstanding any provision of law to the contrary, for fiscal years beginning on or
23 after July 1, 2026, the Department shall adjust the fee amounts listed in subsection (a) of this
24 section in accordance with the percent change in the annual Consumer Price Index computed by
25 the Bureau of Labor Statistics using the most recent 12-month period for which data is available.
26 The adjustment for fees under this subsection shall be rounded to the nearest dollar (\$1.00), and
27 the Commissioner shall publish any increase in fees under this subsection in the North Carolina
28 Register and on the Department's website at least 60 days prior to any increase."

29 **SECTION #.(g)** G.S. 95-120(9) is repealed.

30 **SECTION #.(h)** Article 15 of Chapter 95 of the General Statutes is amended by
31 adding a new section to read:

32 "**§ 95-120A. Fees.**

33 (a) Beginning July 1, 2025, the Department shall charge fees not to exceed the following:

34 Gondolas, Chairlifts, Inclined Railroad Inspections \$500.00

35 J or T Bars and Conveyors Inspections \$300.00

36 Rope Tow Inspections \$200.00

37 (b) Notwithstanding any provision of law to the contrary, for fiscal years beginning on or
38 after July 1, 2026, the Department shall adjust the fee amounts listed in subsection (a) of this
39 section in accordance with the percent change in the annual Consumer Price Index computed by
40 the Bureau of Labor Statistics using the most recent 12-month period for which data is available.
41 The adjustment for fees under this subsection shall be rounded to the nearest dollar (\$1.00), and
42 the Commissioner shall publish any increase in fees under this subsection in the North Carolina
43 Register and on the Department's website at least 60 days prior to any increase."

44 **SECTION #.(i)** G.S. 95-110.5(13) reads as rewritten:

45 "(13) To adopt, modify or revoke rules and regulations governing the qualifications
46 of ~~inspectors~~;inspectors. The Commissioner may waive or amend the
47 American National Safety Standards from the American National Standards
48 Institute as those standards relate to the qualifications of inspectors in this
49 State if the Commissioner sets alternative standards that are reasonably
50 equivalent, as determined by the Commissioner."

51 **SECTION #.(j)** G.S. 95-111.4(13) reads as rewritten:

1 "(13) To adopt, modify or revoke rules and regulations governing the qualifications
2 of inspectors. The Commissioner may waive or amend the American National
3 Safety Standards from the American National Standards Institute as those
4 standards relate to the qualifications of inspectors in this State if the
5 Commissioner sets alternative standards that are reasonably equivalent, as
6 determined by the Commissioner."

7 **SECTION #.(k)** The Commissioner shall publish notice of the changes in fees
8 created by this section in the North Carolina Register and on the Department's website no later
9 than 30 days after the effective date of this section. The Department shall consult with the North
10 Carolina Community College System to develop an in-house training and apprenticeship
11 program for elevator inspectors. The Department shall utilize the program to fill vacancies in
12 receipt-supported inspector positions within the Elevator and Amusement Device Division of the
13 Department.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-LAB-H3-P

Department of Labor
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

DEPARTMENT OF LABOR REGULATORY MODIFICATIONS

SECTION #.(a) Article 16 of Chapter 95 of the General Statutes is amended by adding a new section to read:

"§ 95-136.2. Commissioner and employees not subject to subpoena for testimony except in certain circumstances.

(a) Neither the Commissioner nor any employee or former employee of the Department is subject to a subpoena for appearance for purposes of inquiry into any occupational safety and health inspection, except in one of the following circumstances:

(1) An enforcement proceeding is brought under this Article.

(2) An action is filed in which the Department is a party.

(3) The Commissioner consents in writing to waive the exemption provided by this section.

(4) A court finds all of the following:

a. The information sought is essential to the underlying case.

b. There are no reasonable alternative means for acquiring the information.

c. A significant injustice would occur if the requested testimony was not available.

(b) The party that issued the subpoena shall pay to the Department a witness fee in the amount of one hundred dollars (\$100.00) per day.

(c) This section does not apply to a subpoena requesting only documents or other records."

SECTION #.(b) G.S. 150B-21.5 is amended by adding a new subsection to read:

"(c1) OSHA Standard. – The Occupational Safety and Health Division of the Department of Labor is not required to publish a notice of text in the North Carolina Register or hold a public hearing when it proposes to adopt a rule that concerns an occupational safety and health standard that is identical to a federal regulation promulgated by the Secretary of the United States Department of Labor. The Division shall file the rule with the Commission for the purpose of receiving written objections to the rule in accordance with G.S. 150B-21.3(b2)."

SECTION #.(c) G.S. 95-135(d) reads as rewritten:

"(d) Every official act of the Commission shall be entered of record and its hearings and records shall be open to the public. The Commission is authorized and empowered to make such procedural rules as are necessary for the orderly transaction of its proceedings. Unless the Commission adopts a different rule, the proceedings, as nearly as possible, shall be in accordance with the Rules of Civil Procedure, G.S. 1A-1. The Commission may order testimony to be taken by deposition in any proceeding pending before it at any stage of such proceeding. Any person, firm or corporation, and its agents or officials, may be compelled to appear and testify and produce like documentary evidence before the Commission. Commission, except that upon motion of a respondent, the Commission shall require prehearing discovery, order that testimony be taken by deposition, compel production of documents, and compel persons to appear.

1 Witnesses whose depositions are taken under this section, and the persons taking such
2 depositions, shall be entitled to the same fees as are paid for like services in the courts of the
3 State."

4 **SECTION #.(d)** G.S. 130A-385(e) reads as rewritten:

5 "(e) In cases where death occurred due to an injury received in the course of the decedent's
6 employment, the Chief Medical Examiner shall forward to the Commissioner of Labor a copy of
7 the medical examiner's report of the investigation, including the location of the fatal injury and
8 the name and address of the decedent's employer at the time of the fatal injury. The Chief Medical
9 Examiner shall forward this report within 30 days of receipt of the information from the medical
10 examiner. Upon written request by the Commissioner of Labor, the Chief Medical Examiner
11 shall provide the finalized autopsy report within five months of the date of the request."

12 **SECTION #.(e)** G.S. 95-36.3(c) reads as rewritten:

13 "(c) The Commissioner of ~~Labor, with the written approval of the Attorney General as to~~
14 ~~legality,~~ Labor shall have power to adopt, alter, amend or repeal appropriate rules of procedure
15 for selection of the arbitrator or panel and for conduct of the arbitration proceedings in
16 accordance with this Article: Provided, however, that such rules shall be inapplicable to the extent
17 that they are inconsistent with the arbitration agreement of the parties."

18 **SECTION #.(f)** G.S. 95-110.2 reads as rewritten:

19 **"§ 95-110.2. Scope.**

20 This Article shall govern the design, construction, installation, plans review, testing,
21 inspection, certification, operation, use, maintenance, alteration, relocation and investigation of
22 accidents ~~involving~~ involving all of the following:

- 23 (1) Elevators, dumbwaiters, escalators, and moving ~~walks;~~ walks.
- 24 (2) Personnel ~~hoists;~~ hoists.
- 25 (3) Inclined stairway chair ~~lifts;~~ lifts.
- 26 (4) Inclined and vertical wheelchair ~~lifts;~~ lifts.
- 27 (5) ~~Manlifts; and~~ Manlifts.
- 28 (6) Special equipment.

29 This Article shall not apply to devices and equipment located and operated in a single family
30 ~~residence,~~ residence. This Article shall not apply to conveyors and related equipment within the
31 scope of the American National Standard Safety Standard for Conveyors and Related Equipment
32 (ANSI/ASME B20.1) constructed, installed and used exclusively for the movement of materials,
33 or to mining equipment specifically covered by the Federal Mine Safety and Health Act or the
34 Mine Safety and Health Act of North Carolina or the rules and regulations adopted pursuant
35 thereto."

36 **SECTION #.(g)** G.S. 95-110.3 reads as rewritten:

37 **"§ 95-110.3. Definitions.**

38 (a) The term "Commissioner" shall mean the North Carolina Commissioner of Labor or
39 ~~his~~ the Commissioner's authorized representative.

40 (b) The term "Director" shall mean the Director of the Elevator and Amusement Device
41 ~~Division~~ Bureau of the North Carolina Department of Labor.

42"

43 **SECTION #.(h)** G.S. 95-110.4 reads as rewritten:

44 **"§ 95-110.4. Elevator and Amusement Device ~~Division~~ Bureau established.**

45 There is hereby created an Elevator and Amusement Device ~~Division~~ Bureau within the
46 Department of Labor. The Commissioner shall appoint a director of the Elevator and Amusement
47 Device ~~Division~~ Bureau and such other employees as the Commissioner deems necessary to
48 assist the director in administering the provisions of this Article."

49 **SECTION #.(i)** G.S. 95-110.5 reads as rewritten:

50 **"§ 95-110.5. Powers and duties of Commissioner.**

51 The Commissioner of Labor is hereby ~~empowered;~~ empowered to do all of the following:

- (1) To delegate to the Director of the Elevator and Amusement Device ~~Division~~
Bureau such powers, duties and responsibilities as the Commissioner determines will best serve the public interest in the safe operation of lifting devices and ~~equipment~~equipment.
- (2) To supervise the Director of the Elevator and Amusement Device ~~Division~~Bureau.
- (3) To adopt, modify, or revoke such rules and regulations as are necessary for the purpose of carrying out the provisions of this Article including, but not limited to, those governing the design, construction, installation, plans review, testing, inspection, certification, operation, use, maintenance, alteration and relocation of devices and equipment subject to the provisions of this Article. The rules and regulations promulgated pursuant to this rulemaking authority shall conform with good engineering practice as evidenced generally by the most recent editions of the American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks, the National Electrical Code, the American National Standard Safety Requirements for Personnel Hoists, the American National Standard Safety Code for Manlifts, the American National Standard Safety Standard for Conveyors and Related Equipment and similar codes promulgated by agencies engaged in research concerning strength of material, safe design, and other factors bearing upon the safe operation of the devices and equipment subject to the provisions of this Article. The rules and regulations may apply different standards to devices and equipment subject to this Article depending upon their date of installation. The rules and regulations for special equipment shall not adopt specifically any portion of the American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks to inclined and vertical reciprocating ~~conveyors~~conveyors.
- (4) To enforce rules and regulations adopted under authority of this ~~Article~~Article.
- (5) To inspect and have tested for acceptance all new, altered or relocated devices or equipment subject to the provisions of this ~~Article~~Article.
- (6) To make maintenance and periodic inspections and tests of all devices and equipment subject to the provisions of this Article as often as every six ~~months~~months.
- (7) To issue certificates of operation which certify for use such devices and equipment as are found to be in compliance with this Article and the rules and regulations promulgated ~~thereunder~~thereunder.
- (8) To have free access, with or without notice, to the devices and equipment subject to the provisions of this Article, during reasonable hours, for purposes of inspection or ~~testing~~testing.
- (9) To obtain an Administrative Search and Inspection Warrant in accordance with the provisions of Article 4A of Chapter 15 of the General ~~Statutes~~Statutes.
- (10) To investigate accidents involving the devices and equipment subject to the provisions of this Article to determine the cause of such accident, and he shall have full subpoena powers in conducting such ~~investigation~~investigation.
- (11) To institute proceedings in the civil or criminal courts of this State, when a provision of this Article or the rules and regulations promulgated thereunder has been ~~violated~~violated.

- 1 (12) To issue a limited certificate of operation for any device or equipment subject
2 to the provisions of this Article to allow the temporary or restricted use
3 ~~thereof;~~thereof.
4 (13) To adopt, modify or revoke rules and regulations governing the qualifications
5 of ~~inspectors;~~inspectors.
6 (14) To grant exceptions from the requirements of the rules and regulations
7 promulgated under authority of this Article and to permit the use of other
8 devices when such exceptions and uses will not expose the public to an unsafe
9 condition likely to result in serious personal injury or property
10 ~~damage;~~damage.
11 (15) To require that a construction permit must be obtained from the Commissioner
12 before any device or equipment subject to the provisions of this Article is
13 installed, altered or moved from one place to another and to require that the
14 Commissioner must be supplied with whatever plans, diagrams or other data
15 he deems necessary to determine whether or not the proposed construction is
16 in compliance with the provisions of this Article and the rules and regulations
17 promulgated ~~thereunder;~~thereunder.
18 (16) To prohibit the use of any device or equipment subject to the provisions of
19 this Article which is found upon inspection to expose the public to an unsafe
20 condition likely to cause personal injury or property damage. Such device or
21 equipment shall be made operational only upon the Commissioner's
22 determination that such device or equipment has been made ~~safe;~~safe.
23 (17) To order the payment of all civil penalties provided by this Article. Funds
24 collected pursuant to a civil penalty order shall be deposited with the State
25 ~~Treasurer;~~Treasurer.
26 (18) To require that any device or equipment subject to the provisions of this
27 Article which has been out-of-service and not continuously maintained for one
28 or more years shall not be returned to service without first complying with all
29 rules and regulations governing existing ~~installations;~~ and installations.
30"

31 **SECTION #.(j)** G.S. 95-110.9(b) reads as rewritten:

32 "(b) The Commissioner, without delay, after notification and determination that an
33 occurrence involving injury or damage as specified in subsection (a) has occurred, shall make a
34 complete and thorough investigation of the occurrence. The report of the investigation shall be
35 placed on file in the office of the ~~division-bureau~~ and shall give in detail all facts and information
36 available. The owner may submit for inclusion in the file results of investigations independent of
37 the department's investigation."

38 **SECTION #.(k)** G.S. 95-111.3(6) reads as rewritten:

39 "(6) Director. – The Director of the Elevator and Amusement Device ~~Division~~
40 Bureau of the North Carolina Department of Labor."

41 **SECTION #.(l)** G.S. 95-111.4 reads as rewritten:

42 **"§ 95-111.4. Powers and duties of Commissioner.**

43 The Commissioner of Labor is hereby empowered to do all of the following:

- 44 (1) To delegate to the Director of the Elevator and Amusement Device ~~Division~~
45 Bureau such powers, duties and responsibilities as the Commissioner
46 determines will best serve the public interest in the safe operation of
47 amusement devices.
48 (2) To supervise the Director of the Elevator and Amusement Device
49 ~~Division-Bureau.~~

50"

51 **SECTION #.(m)** G.S. 95-111.10(b) reads as rewritten:

1 "(b) The Commissioner, without delay, after notification and determination that an
2 occurrence involving injury or damage as specified in subsection (a) has occurred, shall make a
3 complete and thorough investigation of the occurrence. The report of the investigation shall be
4 placed on file in the office of the ~~division~~bureau and shall give in detail all facts and information
5 available. The owner may submit for inclusion in the file results of investigations independent of
6 the department's investigation."

7 **SECTION #.(n)** G.S. 95-125.2(b) reads as rewritten:

8 "(b) The Commissioner, without delay, after notification and determination that an
9 occurrence involving injury or damage as specified in subsection (a) of this section has occurred,
10 shall make a complete and thorough investigation of the occurrence. The report of the
11 investigation shall be placed on file in the office of the ~~division~~bureau and shall give in detail all
12 facts and information available. The owner may submit for inclusion in the file results of
13 investigations independent of the department's investigation."

14 **SECTION #.(o)** Subsection (c) of this section shall apply to citations issued on or
15 after the effective date of this section. The remainder of this section is effective when it becomes
16 law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DNCR-H3(S14.1)i

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

NC SYMPHONY CHALLENGE GRANT

SECTION 14.1.(a) Of the funds appropriated in this act to the Department of Natural and Cultural Resources, the sum of two million dollars (\$2,000,000) in recurring funds for each year of the 2025-2027 fiscal biennium shall be allocated to the North Carolina Symphony as provided in this section. It is the intent of the General Assembly that the North Carolina Symphony raise at least seven million dollars (\$7,000,000) in non-State funds for the 2025-2026 fiscal year and seven million dollars (\$7,000,000) in non-State funds for the 2026-2027 fiscal year. The North Carolina Symphony cannot use funds transferred from the organization's endowment to its operating budget to achieve the fundraising targets set out in subsections (b) and (c) of this section.

SECTION 14.1.(b) For the 2025-2026 fiscal year, the North Carolina Symphony shall receive allocations from the Department of Natural and Cultural Resources as follows:

- (1) Upon raising the initial sum of two million dollars (\$2,000,000) in non-State funding, the North Carolina Symphony shall receive the sum of six hundred thousand dollars (\$600,000).
- (2) Upon raising an additional sum of two million dollars (\$2,000,000) in non-State funding for a total amount of four million dollars (\$4,000,000) in non-State funds, the North Carolina Symphony shall receive the sum of seven hundred thousand dollars (\$700,000).
- (3) Upon raising an additional sum of three million dollars (\$3,000,000) in non-State funding for a total amount of seven million dollars (\$7,000,000) in non-State funds, the North Carolina Symphony shall receive the final sum of seven hundred thousand dollars (\$700,000) in the 2025-2026 fiscal year.

SECTION 14.1.(c) For the 2026-2027 fiscal year, the North Carolina Symphony shall receive allocations from the Department of Natural and Cultural Resources as follows:

- (1) Upon raising the initial sum of two million dollars (\$2,000,000) in non-State funding, the North Carolina Symphony shall receive the sum of six hundred thousand dollars (\$600,000).
- (2) Upon raising an additional sum of two million dollars (\$2,000,000) in non-State funding for a total amount of four million dollars (\$4,000,000) in non-State funds, the North Carolina Symphony shall receive the sum of seven hundred thousand dollars (\$700,000).
- (3) Upon raising an additional sum of three million dollars (\$3,000,000) in non-State funding for a total amount of seven million dollars (\$7,000,000) in non-State funds, the North Carolina Symphony shall receive the final sum of seven hundred thousand dollars (\$700,000) in the 2026-2027 fiscal year.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DNCR-H1-P

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

NORTH CAROLINA ARTS COUNCIL MEMBERSHIP AND APPOINTMENT CHANGES

SECTION #.(a) G.S. 143B-88 reads as rewritten:

"§ 143B-88. North Carolina Arts Council – members; selection; quorum; compensation.

(a) The North Carolina Arts Council shall consist of 24 members appointed by the Governor. The initial members of the Council shall be the appointed members of the present Arts Council who shall serve for a period equal to the remainder of their current terms on the Arts Council, eight of whose terms expire June 30, 1973, eight of whose terms expire June 30, 1974, and eight of whose terms expire June 30, 1975. At the end of the respective terms of office of the initial members, the appointments of their successors shall be for terms of three years and until their successors are appointed and qualify. Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term. nine members.

The Governor shall have the power to remove any member of the Council from office in accordance with the provisions of G.S. 143B-16 of the Executive Organization Act of 1973.

The Governor shall designate a member of the Council as chairman to serve at his pleasure.

(b) The members of the North Carolina Arts Council shall be appointed as follows:

(1) The Governor shall appoint three members for three-year terms.

(2) The General Assembly shall appoint six members for three-year terms, three upon the recommendation of the Speaker of the House of Representatives and three upon the recommendation of the President Pro Tempore of the Senate, in accordance with G.S. 120-121.

(c) As the terms of office of the members of the Council appointed by the Governor expire, their successors shall be appointed for terms of three years each. As the terms of office of the members of the Council appointed by the General Assembly expire, their successors shall be appointed for terms of three years each. All members shall serve at the pleasure of the appointing authority, and they may be removed by the appointing authority at any time.

In the event that a Council member is removed, the member appointed to replace the removed member shall serve only for the unexpired term of the removed member. Any appointment to fill a vacancy on the Council created by the resignation, dismissal, death, or disability of a member shall be for the balance of the unexpired term.

(d) The Council shall elect from its appointive members a chair and other officers as it may choose, for such terms as it may designate in its rules.

(e) Members of the Council shall receive per diem and necessary travel and subsistence expenses in accordance with the provisions of G.S. 138-5. A majority of the Council shall constitute a quorum for the transaction of business. All clerical and other services required by the Council shall be supplied by the Secretary of Natural and Cultural Resources."

SECTION #.(b) The present members of the North Carolina Arts Council (Council) shall serve for a period equal to the remainder of their current terms on the Council. At the end of the respective terms of office of the present members, the appointments of their successors shall be for terms of three years and until their successors are appointed and qualify.

1 Notwithstanding G.S. 143B-88, upon the expiration of the terms of office of the eight
2 present members whose terms expire June 30, 2025, the Governor shall appoint one successor
3 and the General Assembly shall appoint two successors, one upon the recommendation of the
4 Speaker of the House of Representatives and one upon the recommendation of the President Pro
5 Tempore of the Senate, in accordance with G.S. 120-121.

6 Notwithstanding G.S. 143B-88, upon the expiration of the terms of office of the eight
7 present members whose terms expire June 30, 2026, the Governor shall appoint one successor
8 and the General Assembly shall appoint two successors, one upon the recommendation of the
9 Speaker of the House of Representatives and one upon the recommendation of the President Pro
10 Tempore of the Senate, in accordance with G.S. 120-121.

11 Notwithstanding G.S. 143B-88, upon the expiration of the terms of office of the eight
12 present members whose terms expire June 30, 2027, the Governor shall appoint one successor
13 and the General Assembly shall appoint two successors, one upon the recommendation of the
14 Speaker of the House of Representatives and one upon the recommendation of the President Pro
15 Tempore of the Senate, in accordance with G.S. 120-121.

16 Thereafter, as the terms of office of the members of the Council expire, their
17 successors shall be appointed for terms of three years in accordance with G.S. 143B-88, as
18 amended by subsection (a) of this section.

19 **SECTION #.(c)** Subsection (a) of this section becomes effective June 30, 2027. The
20 remainder of this section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DNCR-H5(S14.2)i

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

SUNDAY OPENING STATE HISTORIC SITE PILOT PROGRAM

SECTION 14.2.(a) Program Established. – Funds appropriated in this act to the Department of Natural and Cultural Resources (Department) for the Sunday Opening State Historic Site Pilot Program (Program) shall be used by the Department to open and operate the following State Historic Sites on Sundays during each site's peak season:

- (1) Bentonville Battlefield.
- (2) Brunswick Town/Fort Anderson.
- (3) CSS Neuse.
- (4) Charlotte Hawkins Brown Museum.
- (5) Fort Fisher.
- (6) Governor Charles B. Aycock Birthplace.
- (7) Historic Bath.
- (8) Historic Edenton.
- (9) Historic Halifax.
- (10) North Carolina State Capitol.
- (11) Reed Gold Mine.
- (12) Roanoke Island Festival Park.
- (13) Somerset Place.
- (14) Thomas Day State Historic Site.

SECTION 14.2.(b) Notice. – The Department shall publish, update, or provide notice of the new operating hours pursuant to the Program established in subsection (a) of this section.

SECTION 14.2.(c) Reports. – The Department shall submit the following reports to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources:

- (1) By October 1, 2026, an interim report with (i) actual costs by site during the 2025-2026 fiscal year, (ii) Sunday visitation numbers by site during the 2025-2026 fiscal year, and (iii) preliminary recommendations.
- (2) By April 1, 2027, an interim report with any funding recommendations the Department has for the upcoming biennium.
- (3) By October 1, 2027, a final report on the implementation of the Program.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Drafting
SPECIAL PROVISION



2025-DNCR-H7(S14.3)i

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

AQUARIUM AND ZOO REPAIR AND RENOVATION PROJECT AUTHORIZATION

SECTION 14.3.(a) G.S. 143B-135.188 reads as rewritten:

"§ 143B-135.188. North Carolina Aquariums; fees; fund.

...

(d) Approval. – The Secretary may approve the use of the North Carolina Aquariums Fund for repair and renovation projects at the aquariums-related facilities that comply with the following:

- (1) The total project cost is less than ~~five hundred thousand dollars (\$500,000)~~ seven hundred fifty thousand dollars (\$750,000).
- (2) The project meets the requirements of G.S. 143C-8-13(a).
- (3) The project is paid for from funds appropriated to the Fund.
- (4) The project does not obligate the State to provide increased recurring funding for operations.

...."

SECTION 14.3.(b) G.S. 143B-135.209 reads as rewritten:

"§ 143B-135.209. North Carolina Zoo Fund.

...

(c) Approval. – The Secretary may approve the use of the North Carolina Zoo Fund for repair and renovation projects at the North Carolina Zoological Park that comply with the following:

- (1) The total project cost is less than ~~five hundred thousand dollars (\$500,000)~~ seven hundred fifty thousand dollars (\$750,000).
- (2) The project meets the criteria to be classified as a repair or renovation under G.S. 143C-8-13(a).
- (3) The project is paid for from funds appropriated to the Fund.
- (4) The project does not obligate the State to provide increased recurring funding for operations.

...."

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-DNCR-H4(S14.4)i

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

EXTENDED LEASE TERMS FOR STATE RECREATION AREAS

SECTION 14.4. Pursuant to G.S. 146-29(b), the General Assembly authorizes the Department of Natural and Cultural Resources to enter into leases for a period greater than 30 years, but no more than 50 years, of lands owned by the federal government and managed by the Department as the Falls Lake, Jordan Lake, and Kerr Lake State Recreation Areas.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-DNCR-H6(S14.7)i

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

AMERICAN BATTLEFIELD TRUST – EXPANSION

SECTION 14.7. Notwithstanding the Committee Report described in Section 43.2 of S.L. 2023-134 (Committee Report), the five million dollars (\$5,000,000) in interest transferred from the State Fiscal Recovery Reserve to the American Battlefield Trust (Trust) on page D98 of the Committee Report may also be used for the preservation of historic battlefield land at any site in the State identified by the National Park Service as a preservation priority in reports to Congress in 1993, 2007, and 2010.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-DNCR-H2-P

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

ESTABLISH THE BRUSHY MOUNTAIN STATE NATURAL AREA

SECTION #.(a) The General Assembly authorizes the Department of Natural and Cultural Resources to create the Brushy Mountain State Natural Area (BMSNA) in Alexander County, Caldwell County, and Wilkes County and to add BMSNA to the State Parks System, as provided in G.S. 143B-135.54(b). The State may receive donations of appropriate land and may purchase other needed lands for BMSNA with existing funds in the NC Land and Water Fund, the Parks and Recreation Trust Fund, the federal Land and Water Conservation Fund, and other available sources of funding.

SECTION #.(b) This section is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

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SPECIAL PROVISION



2025-DNCR-H8-P

Department of Natural and Cultural Resources
House Appropriations, Agriculture and Natural and Economic Resources

Requested by

CAPACITY-BUILDING GRANTS FOR STATE TRAILS

SECTION #.(a) Grants. – Of the funds appropriated in this act to the Department of Natural and Cultural Resources (Department), the sum of eight hundred thousand dollars (\$800,000) in nonrecurring funds for the 2025-2026 fiscal year shall be allocated for capacity-building grants to the partner organizations listed in subsection (c) of this section for each component of the State Trails System for which the Department has signed a memorandum of understanding (MOU) pursuant to Section 14.7(d) of S.L. 2021-180. Remaining funds shall be retained by the Department to allocate capacity-building grants for any newly authorized partner organizations for State trails no later than June 30, 2026.

SECTION #.(b) Memorandums of Understanding. – The Department shall identify one or more partners and enter into MOUs with State trails described in subsection (c) of this section prior to disbursing any funds under this section to those partner organizations, as well as the partner organizations for the trail established on the Saluda Grade rail corridor as set forth in Section 14.5 of S.L. 2023-134, if necessary. Where there is more than one partner organization for a State trail or component thereof, the Department shall apportion the funds under this section based on the relative scope of activity for which each partner organization assumes responsibility in the respective MOU.

SECTION #.(c) State Trails. – The partner organizations for each State trail or component thereof listed in this subsection shall receive fifty thousand dollars (\$50,000) each for the purposes set forth in subsection (a) of this section:

- (1) Dan River.
- (2) Deep River.
- (3) French Broad River.
- (4) Yadkin River.
- (5) East Coast Greenway Trail.
- (6) Equine State Trail.
- (7) Fonta Flora State Trail.
- (8) Hickory Nut Gorge State Trail.
- (9) Haw River Trail.
- (10) Mountains-to-Sea Trail.
- (11) Northern Peaks State Trail.
- (12) Overmountain Victory State Trail.
- (13) Roanoke River State Trail.
- (14) Wilderness Gateway Trail.
- (15) The trail that will be established on the Saluda Grade rail corridor.
- (16) No more than one newly authorized State trail.

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2025

Proofed
SPECIAL PROVISION



2025-WRC-H1(S15.1)-P

Wildlife Resources Commission
House Appropriations, Agriculture and Natural and Economic Resources

YOUTH OUTDOOR ENGAGEMENT COMMISSION

SECTION 15.1. Part 36 of Article 7 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-344.63. Commission may accept gifts.

The North Carolina Youth Outdoor Engagement Commission is hereby authorized to accept gifts, donations, or contributions from any source, which funds shall be held in a separate account within the North Carolina Youth Outdoor Engagement Fund and shall be administered by, and used solely for purposes consistent with the mission of, the North Carolina Youth Outdoor Engagement Commission."