

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 963\*  
Second Edition Engrossed 6/7/18

Short Title: Clarify Prevention/Emergency Management Act. (Public)

Sponsors: Representatives Faircloth, Speciale, Boles, and Brenden Jones (Primary Sponsors).

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary III

May 21, 2018

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE NORTH CAROLINA EMERGENCY MANAGEMENT ACT TO  
3 CLARIFY THAT PREVENTION IS WITHIN THE SCOPE OF THE ACT, AS  
4 RECOMMENDED BY THE JOINT LEGISLATIVE EMERGENCY MANAGEMENT  
5 OVERSIGHT COMMITTEE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 166A-19.1 reads as rewritten:

8 **"§ 166A-19.1. Purposes.**

9 The purposes of this Article are to set forth the authority and responsibility of the Governor,  
10 State agencies, and local governments in prevention of, preparation for, response to, and recovery  
11 from natural or man-made emergencies or hostile military or paramilitary action and to do the  
12 following:

- 13 (1) Reduce vulnerability of people and property of this State to damage, injury,  
14 and loss of life and property.
- 15 (2) Prepare for prompt and efficient rescue, care, and treatment of threatened or  
16 affected persons.
- 17 (3) Provide for the rapid and orderly rehabilitation of persons and restoration of  
18 property.
- 19 (4) Provide for cooperation and coordination of activities relating to emergency  
20 mitigation, prevention, preparedness, response, and recovery among agencies  
21 and officials of this State and with similar agencies and officials of other  
22 states, with local and federal governments, with interstate organizations, and  
23 with other private and quasi-official organizations."

24 **SECTION 2.** G.S. 166A-19.10 reads as rewritten:

25 **"§ 166A-19.10. Powers of the Governor.**

26 (a) State Emergency Management Program. – The State Emergency Management  
27 Program includes all aspects of the prevention of, preparations for, response to, recovery from,  
28 and mitigation against war or peacetime emergencies.

29 ...."

30 **SECTION 2.5.** G.S. 166A-19.70(c) reads as rewritten:

31 "(c) Certification System. – The Secretary shall develop a system pursuant to which a  
32 person who transports essentials in commerce, or assists in ensuring their availability, and  
33 persons who assist in the restoring of utility services can be certified as such. The certification  
34 system shall allow for both pre-emergency ~~preemergency~~ declaration and post-emergency



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1 ~~postemergency~~ declaration certification ~~and may include an annually~~ with a renewable  
2 precertification. The Secretary shall only allow those who routinely transport or distribute  
3 essentials or assist in the restoring of utility services to be certified. A certification of the  
4 employer shall constitute a certification of the employer's employees. The Secretary shall create  
5 an easily recognizable indicium of certification in order to assist local officials' efforts to  
6 determine which persons have received certification by the system established under this  
7 subsection."

8           **SECTION 3.** This act is effective when it becomes law.