

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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**HOUSE BILL 47
PROPOSED COMMITTEE SUBSTITUTE H47-PCS40084-BRa-1**

Short Title: Disaster Recovery Act of 2025 - Part I.

(Public)

Sponsors:

Referred to:

February 5, 2025

A BILL TO BE ENTITLED
AN ACT TO PROVIDE ADDITIONAL APPROPRIATIONS AND EXTEND REGULATORY
FLEXIBILITY FOR COMMUNITIES AND CITIZENS IMPACTED BY HURRICANE
HELENE.

The General Assembly of North Carolina enacts:

PART I. TITLE AND SCOPE OF ACT

SECTION 1.1. Title. – This act shall be known as "The Disaster Recovery Act of 2025 – Part I."

SECTION 1.2. Maximum Amounts; Effectuate Savings. – The appropriations and allocations made in this act are for maximum amounts necessary to implement this act. Savings shall be effected where the total amounts appropriated or allocated are not required to implement this act.

SECTION 1.3. Scope. – Unless otherwise provided, Part II of this act applies to the North Carolina counties in the affected area, as defined in Section 1.4 of this act.

SECTION 1.4. Definitions. – Unless otherwise provided, the following definitions apply in this act:

- (1) Affected area. – The counties designated before, on, or after the effective date of this act under a major disaster declaration by the President of the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene.
- (2) CDBG-DR. – Community Development Block Grant – Disaster Recovery.
- (3) FEMA. – The Federal Emergency Management Agency.
- (4) Helene Fund. – The Hurricane Helene Disaster Recovery Fund established in Section 4.1 of S.L. 2024-51.
- (5) NCEM. – The Division of Emergency Management of the Department of Public Safety.
- (6) OSBM. – The Office of State Budget and Management.
- (7) SERDRF. – The State Emergency Response and Disaster Relief Fund established in G.S. 166A-19.42.

PART II. DISASTER RECOVERY APPROPRIATION, TRANSFER, AND PROGRAMS

SECTION 2.1. Transfer. – The State Controller shall transfer the sum of two hundred seventy-five million dollars (\$275,000,000) from the SERDRF to the Helene Fund.

SECTION 2.2. Appropriation. – There is appropriated from the Helene Fund the sum of five hundred million dollars (\$500,000,000) in nonrecurring funds, as follows:



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- 1 (1) Notwithstanding G.S. 143B-1040(c), one hundred forty million dollars
2 (\$140,000,000) to the Department of Commerce, Division of Community
3 Revitalization, for the Home Reconstruction and Repair Program (Program).
4 The Program shall be CDBG-DR compliant and consistent with the United
5 States Department of Housing and Urban Development's Universal Notice in
6 90 FR 1754 to ensure maximum reimbursement from federal funds when
7 those funds become available.
- 8 (2) Seventy-five million dollars (\$75,000,000) to the Department of Agriculture
9 and Consumer Services, Division of Soil & Water Conservation, for the
10 following purposes:
 - 11 a. Natural restoration projects that enable farmers in the affected area to
12 resume production and protect communities against additional flood
13 damage. Eligible projects include stream debris removal, streambank
14 stabilization, stream restoration, cropland restoration, farm road
15 repair, and reconstruction of best management practices.
 - 16 b. Cost-share, engineering, and technical assistance for eligible projects.
17 The Department may use these funds across programs to maximize impact
18 and federal funding.
- 19 (2a) Seventy-five million dollars (\$75,000,000) to the Department of Agriculture
20 and Consumer Services for the Hurricane Helene Agricultural Crop Loss
21 Program in accordance with Section 2.4 of this act.
- 22 (3) One hundred million dollars (\$100,000,000) to NCEM for the Private Road
23 and Bridge Repair and Replacement Program in accordance with Section 2.3
24 of this act.
- 25 (4) Fifty-five million dollars (\$55,000,000) for the Small Business Infrastructure
26 Grant Program in accordance with Section 2.5 of this act.
- 27 (5) Twenty million dollars (\$20,000,000) to OSBM to distribute to State agencies
28 and units of local government for debris removal unmet needs. The Governor's
29 Recovery Office for Western North Carolina (GROW-NC) and NCEM shall
30 assist OSBM in coordinating the debris removal with relevant State agencies
31 and local stakeholders. OSBM shall prioritize using these funds to address
32 identified gaps in debris cleanup not met by other federal and State programs.
- 33 (6) Ten million dollars (\$10,000,000) to NCEM to provide grants to Volunteer
34 Organizations Active in Disaster (VOADs) assisting with disaster response
35 and recovery efforts in the affected area.
- 36 (7) Ten million dollars (\$10,000,000) to the Office of the State Fire Marshal to
37 provide funds for repairs of damage to fire stations and to buildings or vehicles
38 used by rescue squads or emergency medical service providers. The Office of
39 the State Fire Marshal shall disburse any remaining funds in equal amounts to
40 all fire departments in the affected area to purchase equipment or make capital
41 improvements to assist with readiness for future emergency response. The
42 Office of the State Fire Marshal may use up to two hundred fifty thousand
43 dollars (\$250,000) of the funds appropriated in this subdivision for
44 administrative costs related to disbursing these grants.
- 45 (8) Ten million dollars (\$10,000,000) to the Department of Health and Human
46 Services, Division of Social Services, to supplement rental assistance
47 payments provided in accordance with Section 4B.7 of S.L. 2024-53.
- 48 (9) Five million dollars (\$5,000,000) to the Department of Commerce for the
49 nonprofit corporation with which the Department contracts pursuant to
50 G.S. 143B-431.01(b) for targeted media campaigns to encourage both in-State
51 and out-of-state tourists to return to areas impacted by Hurricane Helene in

1 2025 and for grants to local tourism offices in the affected area for the
2 activities of those offices and for development of a coordinated market
3 strategy.

4 **SECTION 2.3.(a)** Private Road and Bridge Repair and Replacement Program. – The
5 Private Road and Bridge Repair and Replacement Program (Program) is established within
6 NCEM to disburse grants for the repair and replacement of private roads and bridges damaged
7 or destroyed by Hurricane Helene. NCEM shall consult with the Department of Transportation
8 in administering the Program and shall develop criteria and an application process to select
9 private roads and bridges eligible for repair or replacement consistent with this subsection.
10 NCEM shall prioritize applications for the repair and replacement of private roads or bridges that
11 provide the sole option for ingress and egress for (i) emergency services to a residential property
12 that is occupied by the owner for more than six months of the calendar year, (ii) multiple
13 residential homes, or (iii) recreation or commercial facilities. These funds may also be used to
14 provide technical support and assistance for individuals and local governments to comply with
15 no-rise certification requirements required by FEMA under the National Flood Insurance
16 Program.

17 **SECTION 2.3.(b)** Federal Funding. – If federal assistance or alternative funds are
18 available for the same purposes in subsection (a) of this section, NCEM shall not duplicate efforts
19 or benefits and take all reasonable steps to obtain that federal assistance or alternative funds prior
20 to obligating funds for the Program with State funds.

21 **SECTION 2.3.(c)** Reporting Requirement. – NCEM shall annually report to the Joint
22 Legislative Emergency Management Oversight Committee and the Fiscal Research Division
23 beginning on June 30, 2025, and ending on June 30, 2029, on the Program. The report shall
24 include, at a minimum, all of the following:

- 25 (1) The criteria used for awarding funds.
- 26 (2) The locations of any roads or bridges replaced.
- 27 (3) The average grant amount requested and disbursed.
- 28 (4) The number of projects requested, declined, and funded.
- 29 (5) The identification of unmet needs remaining at the end of each fiscal year for
30 private road or bridge repair or replacement.

31 **HURRICANE HELENE AGRICULTURAL CROP LOSS PROGRAM**

32 **SECTION 2.4.(a)** Hurricane Helene Agricultural Crop Loss Program. – The
33 Hurricane Helene Agricultural Crop Loss Program (Program) is established within the
34 Department of Agriculture and Consumer Services (Department). The Program shall be used to
35 provide financial assistance to farmers affected by Hurricane Helene. The Department may use
36 up to one percent (1%) of funds allocated for the Program for administrative purposes. To be
37 eligible for financial assistance for losses of agricultural commodities, a person must satisfy all
38 of the following criteria:

- 39 (1) The person experienced a verifiable loss of agricultural commodities or farm
40 infrastructure as a result of Hurricane Helene, and the person's farm is located
41 in an affected area.
- 42 (2) The agricultural commodity was planted but not harvested on or before
43 September 24, 2024, or, for aquaculture commodities, the commodities were
44 being raised on or before September 24, 2024.

45 **SECTION 2.4.(b)** Verification of Loss. – A person seeking financial assistance for
46 losses of agricultural commodities under the Program shall submit to the Department a Form 578
47 on file with the USDA Farm Service Agency or a form provided by the Department for reporting
48 acreage or plantings of crops or reporting infrastructure damage or loss that is not typically
49 reported on Form 578, along with any other documentation deemed appropriate by the
50 Department, no later than 30 days after this section becomes effective. For nursery crops,
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1 fruit-bearing trees and bushes, and specialty crops where the survival level is not immediately
2 known, the Department may extend this deadline by an additional 30 days, upon written request
3 by the person received no later than 30 days after this section becomes effective and upon
4 approval by the Department. A person receiving assistance under this Program must provide a
5 signed affidavit, under penalty of perjury, certifying that each fact of the loss presented by the
6 person is accurate.

7 **SECTION 2.4.(c) Eligibility.** – To be eligible for financial assistance for losses of
8 livestock or poultry, a person must first qualify for and receive payment through the USDA
9 Livestock Indemnity Program and be a participant in a livestock or poultry indemnity program
10 administered by the USDA Farm Service Agency.

11 **SECTION 2.4.(d) Documentation.** – A person seeking financial assistance for losses
12 of livestock or poultry shall submit documentation of loss and indemnity received from the
13 USDA Livestock Indemnity Program, along with any other documentation deemed appropriate
14 by the Department, to the Department no later than 30 days after this section becomes effective.
15 The Department may extend this deadline by an additional 30 days, upon written request by the
16 person received no later than 30 days after this section becomes effective and upon approval by
17 the Department. A person receiving assistance under this Program must provide a signed
18 affidavit, under penalty of perjury, certifying that each fact of the loss presented by the person is
19 accurate.

20 **SECTION 2.4.(e) Criteria.** – The Department shall administer the financial
21 assistance program authorized by this section in accordance with the following criteria:

- 22 (1) In determining the payment calculation for agricultural commodities, the
23 Department shall use a formula based on acreage, county loss estimates,
24 USDA National Agricultural Statistics Service averages, and any other
25 measure the Department deems appropriate. Funds shall be distributed based
26 on county averages for yields and State averages for price. Calculations shall
27 be based on county or State averages in price, whichever the Department
28 determines is appropriate.
- 29 (2) The payment calculation for livestock and poultry shall be based on twelve
30 and one-half percent (12.5%) of the total loss reported to the USDA Livestock
31 Indemnity Program.
- 32 (3) The Department shall gather all claim information, except from those
33 applicants granted a deadline extension, no later than 30 days after this section
34 becomes law. The Department shall, as closely as possible, estimate the
35 amount of the funds needed to be held in reserve for payments related to losses
36 of livestock, poultry, nursery, bush, tree, and specialty crops for which losses
37 will not be fully known or calculated. The Department shall set aside funds as
38 it deems appropriate based on the estimated percentage of these losses.
- 39 (4) Payments made under this Program shall be made to the person who filed the
40 Form 578 or Department form for claims related to agricultural commodity
41 losses or the person who received payment from the USDA Livestock
42 Indemnity Program for claims related to livestock or poultry losses.
- 43 (5) The Department shall develop a formula to determine the payment calculation
44 for farm infrastructure damage or loss using measures the Department deems
45 appropriate. The Department shall consider any other available insurance
46 claims that may be available to the applicant when developing the formula
47 under this subdivision.

48 **SECTION 2.4.(f) Audit.** – The Department may audit the financial and other records
49 of each recipient of funds in order to ensure that the funds are used in accordance with the
50 requirements of this Program. The Department may require any documentation or proof it
51 considers necessary to efficiently administer this Program, including the ownership structure of

1 each entity and the social security numbers of each owner. In order to verify losses, the
2 Department may require the submission of dated, signed, and continuous records. These records
3 may include, but are not limited to, commercial receipts, settlement sheets, warehouse ledger
4 sheets, pick records, load summaries, contemporaneous measurements, truck scale tickets,
5 contemporaneous diaries, appraisals, ledgers of income, income statements of deposit slips, cash
6 register tape, invoices for custom harvesting, u-pick records, and insurance documents.

7 **SECTION 2.4.(g)** Expenditure of Awarded Funds. – Awarded funds shall be used
8 for agricultural production expenses and recovery of losses due to the impacts of Hurricane
9 Helene. The Department shall develop guidelines and procedures to ensure that funds are
10 expended for the purposes allowed by this section and may require any documentation it
11 determines necessary to verify the appropriate use of financial assistance awards, including
12 receipts. All distributed funds are subject to federal and State income tax.

13 **SECTION 2.4.(h)** Refund of Award. – If the Department determines that a person
14 who received financial assistance provided inaccurate information, then the person shall refund
15 the entire amount of the financial assistance. If the person does not refund the appropriate
16 amount, the North Carolina Department of Revenue shall collect the money from the person
17 pursuant to G.S. 105-242.

18 **SECTION 2.4.(i)** Definitions. – For purposes of this section, the following
19 definitions apply:

- 20 (1) Agricultural commodity. – Any crop, flowering plant, freshwater aquaculture
21 species, fruit, grain, native grass, ornamental plant, sod, tree, or vegetable. An
22 agricultural commodity does not include stored grain.
- 23 (2) Farm infrastructure. – Fencing, greenhouses, barns, equipment, and farm
24 roads or other structures or site improvements used for farming purposes.
- 25 (3) Livestock. – Cattle, sheep, swine, goats, farmed cervids, and bison. Livestock
26 shall include horses, mules, or other equines only if they are used for
27 production of agricultural commodities.
- 28 (4) Person. – Any individual, trust, estate, partnership, receiver, association,
29 company, limited liability company, corporation, or other entity or group.
- 30 (5) Poultry. – Chickens, quail, or turkeys.

31 **SECTION 2.4.(j)** Program Reporting Requirement. – The Department shall submit
32 a report to the Fiscal Research Division no later than the first day of the month six months after
33 this section becomes effective, and every six months thereafter until all funds are expended or
34 the Program expires, containing, at a minimum, all of the following data:

- 35 (1) The number of applicants by agricultural commodity, farm infrastructure,
36 livestock, or poultry, and the county in which the person incurred the verified
37 loss.
- 38 (2) The number and amount of grants awarded by agricultural commodity, farm
39 infrastructure, livestock, or poultry.
- 40 (3) The geographic distribution of the grants awarded.
- 41 (4) The total amount of funding available to the Program, the total amount
42 encumbered, and the total amount disbursed to date.
- 43 (5) Any refunds made to the Program pursuant to subsection (h) of this section.

44 **SECTION 2.4.(k)** Expiration and Reversion. – The Program shall expire 30 months
45 after this section becomes effective. Any funds allocated to the Program not expended or
46 encumbered by that date shall revert to the Helene Fund.

47 **SECTION 2.4.(l)** Subsections (f) through (i) of this section apply to all funds
48 received and recipients of funds under the Program as described in this section.

49 **SMALL BUSINESS INFRASTRUCTURE GRANT PROGRAM**

1 **SECTION 2.5.(a)** Program; Purpose. – There is established the Small Business
2 Infrastructure Grant Program to be administered by the Department of Commerce. The purpose
3 of the program is to assist small businesses by providing grants to local governments to expedite
4 infrastructure repairs impacting the operation and patronage of small businesses in the affected
5 area.

6 **SECTION 2.5.(b)** Definitions. – The following definitions apply in this section:

7 (1) Department. – The Department of Commerce.

8 (2) Eligible local government. – A city or county, as those terms are defined in
9 G.S. 160A-1 and G.S. 153A-1, located in the affected area.

10 (3) Program. – The Small Business Infrastructure Grant Program.

11 (4) Qualifying infrastructure needs. – Water, sewer, gas, telecommunications,
12 high-speed broadband, electrical utility, and sidewalk and curb infrastructure
13 serving one or more small businesses located in an eligible local government
14 and damaged by Hurricane Helene that, until repaired, inhibits access to or
15 operations of one or more of those small businesses. The term does not include
16 infrastructure the small business owns or is responsible for maintaining.

17 (5) Small business. – A business with a physical presence in the affected area that
18 employs 50 or fewer employees.

19 **SECTION 2.5.(c)** Applications; Verification. – An eligible local government with
20 qualifying infrastructure needs, or a small business located therein, may apply for a grant under
21 the program. An applicant must (i) identify with specificity the qualifying infrastructure needs,
22 (ii) provide a cost estimate to repair the needs, (iii) provide a short summary of the detrimental
23 impact on the named small businesses and how those businesses will benefit from the grant, (iv)
24 apply to the Department on a form prescribed by the Department, and (v) include any supporting
25 documentation required by the Department. The Department may accept applications until the
26 funds available under the program have been fully awarded. The Department shall consult with
27 applicants to substantiate applications prior to awarding grants under the program and prioritize
28 grants so as to maximize the beneficial and efficient use of program funding. Grants shall be
29 awarded to the eligible local government in which the qualifying infrastructure needs are located,
30 and the eligible local government shall be responsible for using the grant amount for repairing
31 the needs identified in the application.

32 **SECTION 2.5.(d)** Grant Amount. – The total grant amount per project identified in
33 an application is equal to the lesser of (i) the estimated cost of the identified qualifying
34 infrastructure needs or (ii) one million dollars (\$1,000,000).

35 **SECTION 2.5.(e)** Eligible Uses. – Grants awarded under this program shall be used
36 by local governments for repairing qualifying infrastructure needs that the Department, in
37 consultation with applicant local governments and small businesses, determines adversely affect
38 access to or operations of identified small businesses.

39 **SECTION 2.5.(f)** Grant Program Limit. – The total of all funds granted under this
40 program may not exceed the amount allocated to the program under this section. Grants shall be
41 awarded on a first-come, first-served basis.

42 **SECTION 2.5.(g)** Administrative Expenses. – The Department may retain up to
43 three percent (3%) of the funds appropriated for the grant program established by this section for
44 administrative expenses.

45 **SECTION 2.5.(h)** Reporting. – Beginning December 15, 2025, and continuing every
46 six months thereafter, the Department shall submit a report on the program to the Joint Legislative
47 Economic Development and Global Engagement Oversight Committee and the Fiscal Research
48 Division. The duty to report pursuant to this section shall cease after the submission of the report
49 following when the Department has awarded the final grant under the program. Each report shall
50 contain, at a minimum, all of the following:

51 (1) The total grant amount awarded to date.

- 1 (2) The average grant amount per project.
- 2 (3) The types and number of qualifying infrastructure needs that have received
- 3 grant funding.
- 4 (4) The types and number of small businesses that have benefitted from the
- 5 program.
- 6

7 **PART III. EXTENSION OF STATE OF EMERGENCY**

8 **SECTION 3.1.** In accordance with G.S. 166A-19.20(c)(2), the statewide declaration
9 of emergency issued by the Governor in Executive Order No. 315, concurred to by the Council
10 of State, and extended by Section 3.1 of S.L. 2024-51, is further extended until June 1, 2025.
11 This provision has no effect on Executive Order No. 322, issued by the Governor on October 16,
12 2024.

13 **PART IV. REVERSION, LIMITATION, AND REPORTING OF FUNDS**

14 **SECTION 4.1.(a)** Reversion. – Except as otherwise provided, funds appropriated
15 under Part II of this act shall revert to the Savings Reserve if not expended or encumbered by
16 June 30, 2030.

17 **SECTION 4.1.(b)** Receipt of Allocations. – A recipient of State funds under this act
18 shall use best efforts and take all reasonable steps to obtain alternative funds that cover the losses
19 or needs for which the State funds are provided, including funds from insurance policies in effect
20 and available federal aid. State funds paid under this act are declared to be excess over funds
21 received by a recipient from the settlement of a claim for loss or damage covered under the
22 recipient's applicable insurance policy in effect or federal aid. Where a recipient is an institution
23 of higher education or a non-State entity, the requirement regarding alternative funds, and the
24 calculation of alternative funds received, under this subsection includes seeking private donations
25 to help cover the losses or needs for which State funds are provided. An agency awarding State
26 funds for disaster relief shall include a notice to the recipient of the requirements of this
27 subsection.

28 **SECTION 4.1.(c)** Remittance of Funds. – If a recipient obtains alternative funds
29 pursuant to subsection (b) of this section, the recipient shall remit the funds to the State agency
30 from which the State funds were received. A recipient is not required to remit any amount in
31 excess of the State funds provided to the recipient under this act. The State agency shall transfer
32 these funds to the Savings Reserve.

33 **SECTION 4.1.(d)** Contract Requirements. – Any contract or other instrument
34 entered into by a recipient for receipt of funds under this act shall include the requirements set
35 forth in subsections (b) and (c) of this section.

36 **SECTION 4.1.(e)** Limitation on Powers of Governor. – The Governor may not use
37 the funds described in this act to make budget adjustments under G.S. 143C-6-4 or to make
38 reallocations under G.S. 166A-19.40(c). Nothing in this act shall be construed to prohibit the
39 Governor from exercising the Governor's authority under these statutes with respect to funds
40 other than those described in this act.

41 **SECTION 4.1.(f)** Directive. – The Governor shall ensure that funds allocated in this
42 act are expended in a manner that does not adversely affect any person's or entity's eligibility for
43 federal funds that are made available, or that are anticipated to be made available, as a result of
44 natural disasters. The Governor shall also, to the extent practicable, avoid using State funds to
45 cover costs that will be, or likely will be, covered by federal funds.

46 **SECTION 4.1.(g)** Allocation Reporting Requirements. – Beginning May 15, 2025,
47 for the previous quarter, OSBM shall report to the chairs of the House of Representatives and
48 Senate Appropriations Committees and to the Fiscal Research Division of the General Assembly
49 on the implementation of this act on a quarterly basis until the end of the quarter in which all
50 funds are expended and shall also provide any additional reports or information requested by the
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1 Fiscal Research Division. In reporting on the use of State disaster recovery and assistance funds
2 expended pursuant to this act and federal funds received by State agencies for disaster relief and
3 recovery efforts, OSBM shall include, regardless of which State agency, federal agency, or
4 non-State entity that administers the funds, all of the following for each program:

- 5 (1) The purpose of the program.
- 6 (2) The responsible department or agency.
- 7 (3) Current, year-to-date, and total cumulative funds appropriated, received from
8 non-State sources, expended, encumbered, and obligated by program and by
9 source of funds.
- 10 (4) A summary of activities.
- 11 (5) The total program spending by county, where practicable.
- 12 (6) Funds returned to the Savings Reserve pursuant to subsection (c) of this
13 section, as applicable.

14 Non-State entities that administer or receive any funds appropriated in this act shall
15 assist and fully cooperate with OSBM in meeting OSBM's obligations under this section.

16 **SECTION 4.1.(h)** Relationship to Previous Reporting Requirements. – Subsection
17 (g) of this section supersedes Section 7.1(h) of S.L. 2024-51, as amended by Section 5.6 of S.L.
18 2024-53, and Section 3.1(g) of S.L. 2024-53 (collectively, the prior reporting requirements). In
19 cases of any conflict between the prior reporting requirements and subsection (g) of this section,
20 the language in subsection (g) of this section shall prevail.

21 **PART V. DISASTER RECOVERY REGULATORY AND PROCUREMENT** 22 **FLEXIBILITY**

23 **EXTENSION OF EXPIRATION DATES FOR CERTAIN REGULATORY** 24 **FLEXIBILITY PROVISIONS**

25 **SECTION 5.1.** The following provisions of S.L. 2024-51 (Helene I), S.L. 2024-53
26 (Helene II), and S.L. 2024-57 (Helene III) providing regulatory flexibility and (i) expiring,
27 ending, or otherwise limited in applicability, on any day of March 2025 or (ii) for which no
28 expiration date is specified are, notwithstanding any provisions of those acts to the contrary,
29 extended to the date of expiration of the statewide declaration of emergency issued by the
30 Governor in Executive Order No. 315, concurred to by the Council of State, and extended
31 pursuant to S.L. 2024-51, this act, or any other enactment of a general law:

- 32 (1) Helene I:
 - 33 a. Section 10.1 ("Funding Flexibility for Drinking Water and Wastewater
34 Infrastructure Projects").
 - 35 b. Section 10.3 ("Storm Debris Open Burning Regulatory Relief").
 - 36 c. Section 16.1 ("Extend Grace Period for Corporations, Nonprofits, and
37 LLCs in FEMA-Designated Counties to Correct Grounds for
38 Administrative Dissolution").
 - 39 (2) Helene II:
 - 40 a. Section 4E.1 ("Authorize State Agencies to Exercise Regulatory
41 Flexibility for Employment-Related Certifications").
 - 42 b. Section 4E.3 ("Flexibility for Building Permit Issuance/Inspections in
43 Disaster Area").
 - 44 (3) Helene III:
 - 45 a. Section 1D.6 ("Temporary Pump and Haul Wastewater Permits").
 - 46 b. Section 1D.7 ("Authorize Waiver of Submission and Approval of
47 Sedimentation Pollution Control Plan Prior to Initiation of
48 Land-Disturbing Activities in Certain Circumstances").
- 49
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- c. Section 1D.8 ("Tree Ordinance Restriction in Disaster Declared Counties").
- d. Section 1E.1 ("Extend Certain Concealed Handgun Permits").
- e. Section 1F.4 ("Authorize the Office of the State Fire Marshal to Promulgate Rules for Temporary Manufactured and Modular Dwellings").

FUNERAL ESTABLISHMENT EXEMPTION WAIVER

SECTION 5.2.(a) G.S. 90-210.27A(a1) reads as rewritten:

"(a1) ~~If the preparation room of a funeral establishment is damaged or destroyed by fire, weather, weather event, or other natural disaster, the Board may suspend the requirements of 180 days, two years, provided that the funeral establishment remains in compliance with the requirements of G.S. 90-210.25(d1) and G.S. 90-210.25(a2)(2) and (d), and all other applicable State laws, rules, regulations, and requirements of the Division of Health Services and regulations of the municipality town, municipality, or county where the funeral establishment is located. To receive a suspension an extension of more than 90 days, two years from the date of loss, the applicant must show good cause for additional time.~~ funeral establishment may petition a court of competent jurisdiction who, upon finding that granting the requested extension would not negatively affect the public health, safety, and welfare, may grant an additional extension not to exceed three years from the date of loss or one year from the date of the court's order, whichever is greater."

SECTION 5.2.(b) The North Carolina Board of Funeral Service may adopt rules to implement the provisions of this section.

SECTION 5.2.(c) This section is effective when it becomes law.

FACILITATE PERMANENT INSTALLATION OF BROADBAND INFRASTRUCTURE

SECTION 5.3. To facilitate the permanent installation of broadband infrastructure damaged by Hurricane Helene, all of the following shall apply:

- (1) If a roadway constructor is repairing, rebuilding, or reconstructing roads or related roadway infrastructure located within an affected county that is one quarter of a mile or longer in total length, then the roadway constructor shall collaborate and cooperate with any broadband provider that is repairing or rebuilding the broadband infrastructure that is or was located in or along the original road right-of-way. The roadway constructor shall coordinate with the broadband provider to install its cable and equipment at the appropriate time during the road or related roadway construction process in order to facilitate the permanent broadband solution and avoid the necessity of improvements being made immediately upon the conclusion of the road or related roadway construction process that may extend disruptions to the flow of traffic.
- (2) If a roadway constructor has allowed the installation of a temporary backbone broadband service or repair within a roadway right-of-way as an immediate means of restoring the backbone broadband service after damage by Hurricane Helene, then, upon presentation of data by the broadband provider of the backbone broadband service that the permanent installation of that temporary backbone broadband service or repair is the most cost-effective and efficient means of achieving the permanent solution for the original damaged backbone broadband service, then the roadway constructor shall fully cooperate with the broadband provider to enable the broadband provider to convert the temporary solution to the permanent solution.

- 1 (3) The Department of Transportation and local governments shall allow the
2 underground installation of broadband infrastructure within rights-of-way as
3 needed for repair of broadband infrastructure damaged by Hurricane Helene
4 in affected counties.
5

6 **ALLOW USE OF INMATES TO CLEAN UP DEBRIS ON PUBLIC ROADS AND**
7 **ROADSIDES**

8 **SECTION 5.4.** The Department of Adult Correction shall coordinate with the
9 Department of Transportation to allow for the use of inmates to clean up debris resulting from
10 Hurricane Helene on public roads and roadsides in the affected areas. Except for the requirement
11 that the number and location of prisoners be agreed to far enough in advance of each budget, the
12 coordination required under this section shall be in accordance with G.S. 148-26(b).
13

14 **PROPERTY DISTRIBUTED AND ACQUIRED BY LOCAL GOVERNMENTS AND**
15 **VOADS TO AID IN DISASTER RECOVERY**

16 **SECTION 5.5.(a)** Article 3 of Chapter 143 of the General Statutes is amended by
17 adding a new section to read:

18 **"§ 143-49.2. Purchases by Volunteer Organizations Active in Disasters.**

19 In consideration of public service, any member organization of Volunteer Organizations
20 Active in Disasters (hereinafter "VOAD member") in the State of North Carolina may purchase
21 heavy construction equipment and motor vehicles under State contract through the Department
22 of Administration if the equipment and motor vehicles are purchased for the purpose of aiding in
23 disaster recovery in this State. The Department of Administration shall make its services
24 available to these organizations in the purchase of the equipment and motor vehicles under the
25 same laws, rules, and regulations applicable to nonprofit organizations as provided in
26 G.S. 143-49(6). Any proceeds or benefit received by a VOAD member from the disposition or
27 sale of equipment or motor vehicles purchased under this section shall be used for a public
28 purpose only."

29 **SECTION 5.5.(b)** Article 3A of Chapter 143 of the General Statutes is amended by
30 adding a new Part to read:

31 "Part 4. Miscellaneous.

32 **"§ 143-64.8. Distribution of surplus property for disaster recovery.**

33 (a) Notwithstanding any provision of Part 1 or Part 2 of this Article, the Department of
34 Administration as the State Surplus Property Agency and State agency for federal surplus
35 property shall regularly publish on its website a list of all heavy construction equipment and
36 motor vehicles in its possession and control for review and consideration by units of local
37 government and member organizations of Volunteer Organizations Active in Disasters
38 (hereinafter "VOAD member") as to the useability of the equipment and motor vehicles for
39 disaster recovery efforts in the State of North Carolina. The Department shall loan the property
40 to units of local government and VOAD members on a first-come basis for a period of five years
41 without assessing or collecting any service charge or fee; provided, however, any distribution of
42 property obtained from the United States of America shall comply with federal guidelines for the
43 distribution of federal surplus property and the provisions of G.S. 143-64.2(f). Property loaned
44 to a unit of local government or VOAD member under this section shall not be transferred to
45 another entity by the unit or VOAD member. After the expiration of the five-year time period,
46 the property loaned under this section shall become the property of the unit of local government
47 or VOAD member, as appropriate, and they may sell or otherwise dispose of the property. Any
48 proceeds or benefit received by a VOAD member from the disposition or sale of the property
49 shall be used for a public purpose only. The use of proceeds or benefits received from the sale of
50 the property by a unit of local government is for a public purpose.

1 (b) The Department of Administration shall maintain a record of each piece of
2 construction equipment and each motor vehicle distributed under subsection (a) of this section,
3 the unit of local government or VOAD member to which the equipment and/or motor vehicle
4 was distributed, and the approximate value of the equipment and/or motor vehicle at the time of
5 distribution. Not later than February 1 of each fiscal year, the Department shall submit a report
6 detailing the distributions to the House Appropriations Committee on General Government, the
7 Senate Appropriations Committee on General Government and Information Technology, and the
8 Fiscal Research Division."

10 **PART VI. MISCELLANEOUS PROVISIONS**

12 **EFFECT OF HEADINGS**

13 **SECTION 6.1.** The headings to the parts and sections of this act are a convenience
14 to the reader and are for reference only. The headings do not expand, limit, or define the text of
15 this act, except for effective dates referring to a part or section.

17 **SEVERABILITY CLAUSE**

18 **SECTION 6.2.** If any section or provision of this act is declared unconstitutional or
19 invalid by the courts, it does not affect the validity of this act as a whole or any part other than
20 the part so declared to be unconstitutional or invalid.

22 **EFFECTIVE DATE**

23 **SECTION 6.3.** Except as otherwise provided, this act is effective when it becomes
24 law.