

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 251

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H251-ARI-58 [v.2]

Page 1 of 2

Amends Title [NO]
Fourth Edition

Date _____, 2025

Senator Moffitt

1 moves to amend the bill on page 5, line 25, through page 6, line 18,
2 by rewriting those lines to read:

3
4 "SECTION 7.(a) In the counties of Western North Carolina designated in FEMA's
5 disaster declaration for the Helene flood event, defined as a historic flood event meeting or
6 exceeding a 200-year flood, and pursuant to a memorandum of agreement (MOA) between the
7 State of North Carolina and FEMA, the owner of a lawfully established building or structure
8 damaged by the Helene flood event may replace or reconstruct the building or structure within
9 the base floodplain to the same or lesser extent or volume as existed immediately before the flood
10 event. Such reconstruction shall comply with the terms of the MOA and shall not preclude
11 compliance with FEMA's minimum floodplain management standards (44 C.F.R. § 60.3) in all
12 other parts of the State.

13 SECTION 7.(b) G.S. 143-215.54(a) reads as rewritten:

14 "(a) ~~A~~ Subject to G.S. 160D-108, a local government may adopt ordinances to regulate
15 uses in flood hazard areas and grant permits for the use of flood hazard areas that are consistent
16 with the requirements of this Part."

17 SECTION 7.(c) The exception provided in Section 7.(a) shall only take effect upon
18 the execution of a memorandum of agreement (MOA) between the State of North Carolina and
19 FEMA. The MOA shall specify conditions under which reconstruction in the designated Western
20 North Carolina counties may deviate from specific NFIP floodplain management standards (44
21 C.F.R. § 60.3) for structures damaged by the Helene flood event, while ensuring that all North
22 Carolina communities remain eligible for participation in the NFIP. The MOA shall include
23 provisions limiting deviations to the counties designated in FEMA's disaster declaration for the
24 Helene flood event and ensuring no statewide loss of NFIP eligibility.

25 SECTION 7.(d) Except as provided in Section 7.(a) and subject to the terms of the
26 MOA described in Section 7.(c), all communities in North Carolina shall continue to enforce
27 FEMA's minimum floodplain management standards (44 C.F.R. § 60.3) for all substantially
28 improved structures, including those damaged by a historic flood event, to maintain eligibility
29 for the National Flood Insurance Program.

30 SECTION 7.(e) The exception provided in Section 7.(a) shall expire three years from
31 the effective date of the memorandum of agreement with FEMA, unless extended by mutual



* H 2 5 1 - A R I - 5 8 - V - 2 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 251

ADOPTED

H251-ARI-58 [v.2]

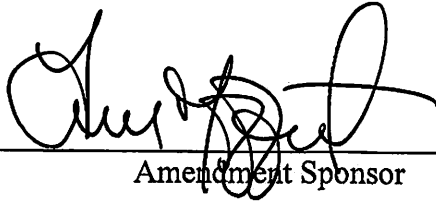
AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

Page 2 of 2

1 agreement between the State of North Carolina and FEMA or terminated earlier in accordance
2 with the MOA.

3 **SECTION 7.(f)** No provision of this act shall be construed to waive or modify any
4 State or local regulations necessary to comply with FEMA's minimum floodplain management
5 standards."
6

SIGNED



Amendment Sponsor

SIGNED

Committee Chair if Senate Committee Amendment

ADOPTED

FAILED

TABLED

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**