



HOUSE BILL 573: Business/Regulatory Changes.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2017-2018 General Assembly

Committee:	Senate Commerce and Insurance. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 6, 2018
Introduced by:	Reps. Faircloth, Ross, Blust, Brockman	Prepared by:	Wendy Ray
Analysis of:	PCS to First Edition H573-CSSU-42		Staff Attorney

OVERVIEW: The Proposed Committee Substitute for House Bill 573 would do the following:

- *Authorize cities to petition the superior court for appointment of a receiver to rehabilitate, demolish, or sell a vacant building when the owner has failed to take corrective action as ordered after a finding that the structure is hazardous or unfit for habitation, when the city adopts an ordinance and orders a public officer to continue enforcement actions, or when an owner voluntarily requests receivership. These provisions set out requirements for filing a petition, qualifications of a receiver, the receiver's authority to rehabilitate, demolish, or sell the property, and provide for final disposition of the matter. Cities would also be authorized to charge the owner of the property subject to receivership an administrative fee.*
- *Require the Building Code Council to provide an exemption from energy efficiency codes for residential garages.*
- *Authorize a city to hold a malt beverage or unfortified wine election if the city has a population of 200 or more, the county in which more than 50% of the city is located has held such an election and the vote was against, and that county contains three or more other cities that have previously voted to allow malt beverages OR (current law AND) unfortified wine.*
- *Direct the Environmental Management Commission to adopt rules to amend the Well Standard Rules consistent with the following:*
 - *Reduce setback between wells serving single family homes and most types of septic tank systems from 100 feet to 50 feet.*
 - *Reduce grouting depth requirement in certain areas from 35 feet below the surface to 20 feet below the surface.*
 - *Increase the source water depth requirement in certain areas from 35 feet below the surface to 43 feet below the surface.*
 - *Increase casing depth requirement in certain areas from 35 feet to 43 feet.*
 - *Change the well construction standards in certain areas from a casing depth of 35 feet to a casing depth of 43 feet with 20 feet of grout.*
- *Direct the Environmental Management Commission to modify a rule that requires construction and demolition debris (C&D) landfills to install and maintain a groundwater monitoring program, to decrease the frequency of required sampling from semi-annually to annually.*

Karen Cochrane-Brown
Director



H 5 7 3 - S M S U - 9 2 C S S U F - 4 2 - V - 4

Legislative Analysis
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House PCS 573

Page 2

EFFECTIVE DATE: Section 1 of the PCS, pertaining to vacant building receiverships, would become effective October 1, 2018, and would apply to nuisances per se that occur on or after that date or actions that have not been complied with as of that date. Section 2 of the PCS, providing for an exemption from energy efficiency codes for residential garages, would become effective October 1, 2018. The remainder of the act would be effective when it becomes law.