



2021-2022 General Assembly

SENATE BILL 389: Department of Environmental Quality/Department of Natural and Cultural Resources Omnibus, Sec. 10: Modify Notice Requirement for Sedimentation and Erosion Control Program Violations

Committee:	Date:	February 9, 2022
Introduced by:	Prepared by:	Kyle Evans
Analysis of:	Sec. 10 of S.L. 2021-158	Staff Attorney

OVERVIEW: *Section 10 of S.L. 2021-158 eliminates the requirement that a person receiving a notice of violation for the first time under the Sedimentation and Erosion Control Program be delivered that notice in person.*

This section became effective October 1, 2021.

PRIOR LAW/BILL ANALYSIS:

A notice of violation given pursuant to the Sedimentation and Erosion Control Program may be served by any means authorized under G.S. 1A-1, Rule 4 of the NC Rules of Civil Procedure. Under prior existing law, for a first-time violator, notice must be delivered in person. If notice to a first-time violator cannot be delivered in person within 15 days of discovery of the violation, notice may be served as outlined in G.S. 1A-1, Rule 4.

Section 10 of S.L. 2021-158 eliminates the requirement that a person receiving a notice of violation for the first time under the Sedimentation and Erosion Control Program be delivered that notice in person.

EFFECTIVE DATE: This section became effective October 1, 2021.

Jeffrey Hudson
Director



Legislative Analysis
Division
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