



2023-2024 General Assembly

# HOUSE BILL 168:

## Department of Natural and Cultural Resources Agency Bill, Sec. 10:

### Revisions to the North Carolina Land and Water Fund Board of Trustees

---

<b>Committee:</b>		<b>Date:</b>	December 8, 2023
<b>Introduced by:</b>		<b>Prepared by:</b>	Aaron McGlothlin
<b>Analysis of:</b>	Sec. 10 of S.L. 2023-70		Staff Attorney

---

**OVERVIEW:** *Section 10 of S.L. 2023-70 makes changes to the statutes governing the Board of Trustees (Board) of the North Carolina Land and Water Fund, including:*

- *Allowing the Council of State to delegate approval authority for land acquisitions proposed by the Board.*
- *Revising the Attorney General's review of land acquisitions proposed by the Board, to provide that deeds for land in fee simple absolute are subject to Attorney General approval before the acquisition can become effective.*

*This section became effective June 30, 2023.*

#### **BACKGROUND:**

The North Carolina Land and Water Fund is a special revenue fund administered by the Department of Natural and Cultural Resources to finance projects to clean up or prevent surface water pollution and for land preservation purposes. The Board of the North Carolina Land and Water Fund is responsible for developing grant criteria and awarding funds to grant recipients.

Prior to the enactment of S.L. 2023-70, the Board could acquire land by purchase, negotiation, gift or devise; provided that (i) any land acquisition be reviewed and approved by the Council of State and (ii) a deed for land was approved by the Attorney General before an acquisition can become effective.

#### **BILL ANALYSIS:**

**Section 10** authorizes the Council of State to delegate approval authority for land acquisitions proposed by the Board. Furthermore, this section revises the Attorney General's review of proposed land acquisitions to provide that deeds for land in fee simple absolute are subject to Attorney General approval before the acquisition can become effective.

**EFFECTIVE DATE:** This section became effective June 30, 2023.

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578