



# HOUSE BILL 259: 2023 Appropriations Act, Sec. 41.8: Roadside Environmental

2023-2024 General Assembly

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<b>Committee:</b>		<b>Date:</b>	December 18, 2023
<b>Introduced by:</b>		<b>Prepared by:</b>	Howard Marsilio Staff Attorney
<b>Analysis of:</b>	Sec. 41.8 of S.L. 2023-134		

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**OVERVIEW:** Section 41.8 of S.L. 2023-134 specifies the amounts the North Carolina Department of Transportation must spend on Roadside Environmental for the 2023-2025 fiscal biennium, and enacts laws that regulate the use of plants and seeds in State Parks and on State highway right-of-way.

*This section has various effective dates. Please see the full summary for more detail.*

**CURRENT LAW:** There is no current law that establishes a requirement or preference for use of plants and seeds within the N.C. State Parks System. Currently, the North Carolina Department of Transportation (NCDOT) employs means to select plants and trees in State highway right-of-way to promote erosion control, landscaping, and general protection of the highways, with a "strong preference" for plants that the United States Department of Agriculture (USDA) has classified as native to North Carolina.

## **BILL ANALYSIS:**

The subsection of Section 41.8 of S.L. 2023-134 that relates to NCDOT spending on Roadside Environmental specifies that, of funds appropriated to the NCDOT, the Department must spend \$120 million per fiscal year of the 2023-2025 fiscal biennium on Roadside Environmental.

The subsection of this section that relates to the Department of Natural and Cultural Resources directs the Department, in consultation with university system and community college horticulture programs and the North Carolina Forestry Association, to require the use of seeds and plants that the USDA has classified as native to states and counties in the Southeastern United States, with a strong preference for seeds and plants native to North Carolina, on all lands that are part of the State Parks System, with exceptions.

The subsection of this section that relates to the Department of Transportation directs the Department, in consultation with university system and community college horticulture programs and the North Carolina Forestry Association, to use seeds and plants that the USDA has classified as native to states and counties in the Southeastern United States in plantings in the highway right-of-way, with a strong preference for seeds and plants native to North Carolina, with exceptions.

**EFFECTIVE DATE:** The subsections of this section that relate to the Department of Natural and Cultural Resources and the Department of Transportation become effective December 31, 2024, and apply to contracts entered into on or after that date. The remainder of this section became effective October 3, 2023.

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