



SENATE BILL 318: Native Plants Act.

2023-2024 General Assembly

Committee:	Senate Transportation. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 26, 2023
Introduced by:	Sen. Rabon	Prepared by:	Howard Marsilio Committee Counsel
Analysis of:	PCS to First Edition S318-CSBG-10		

OVERVIEW: *The Proposed Committee Substitute (PCS) to Senate Bill 318 would require the use of plants and seeds native to the Southeastern United States, with a strong preference for seeds and plants native to North Carolina, in State Parks and on State highway ROW.*

The PCS would:

- *Require the use of seeds and plants native to specified states or counties in the Southeastern United States, with a strong preference for plants native to North Carolina, in State Parks.*
- *Require the use of seeds and plants native to a specified states or counties in the Southeastern United States, with a strong preference for plants native to North Carolina, on State highway rights of way.*
- *Remove Sections 3 and 4 of Edition 1 of the bill.*

CURRENT LAW AND BACKGROUND:

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 Department of Transportation employs means to select plants and trees in State highway ROW 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 when planting in highway right-of-way.

BILL ANALYSIS:

Section 1 of the bill would direct the Department of Natural and Cultural Resources, 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. For purposes of this section, the Southeastern United States would be defined as the states of Alabama, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and the following counties in Florida: Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

Section 2 would require the Department of Transportation, 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

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Carolina, with exceptions. The Southeastern United States would be defined as the states of Alabama, Georgia, North Carolina, South Carolina, Tennessee, Virginia, and the following counties in Florida: Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

EFFECTIVE DATE: This act would be effective when it becomes law and apply to contracts entered into on or after that date.

** Chris Saunders, Legislative Analysis Division, substantially contributed to this summary.*