



2023-2024 General Assembly

# SENATE BILL 355: North Carolina Farm Act of 2024, Sec. 14: Exempt Agricultural Land from Stormwater Fees

<b>Committee:</b>	<b>Date:</b> August 19, 2024
<b>Introduced by:</b>	<b>Prepared by:</b> Aaron McGlothlin
<b>Analysis of:</b> Sec. 14 of S.L. 2024-32	Staff Attorney

**OVERVIEW:** Section 14 of S.L. 2024-32 prohibits cities and counties from imposing stormwater utility fees for property used for bona fide farm purposes.

This section became effective July 3, 2024, and applies to fees levied on or after that date.

### EXISTING LAW / BILL ANALYSIS:

Local governments are authorized by statute to establish and revise schedules of rates and fees for the use of services provided by a public enterprise, including stormwater utility fees. Schedules of rates and fees may vary according to classes of service, and different schedules may be adopted for services provided outside of the local government's boundaries. Airport runways or taxiways, including those on military property, are not subject to city or county stormwater utility fees.

**Section 14** prohibits cities and counties from imposing stormwater utility fees for property used for bona fide farm purposes. To be exempt from a city stormwater utility fee, the property owner must show any of the following documents as evidence that the farm is being used for bona fide farm purposes:

- A farm sales tax exemption certificate issued by the Department of Revenue.
- A copy of the property tax listing showing that the property is eligible for participation in the present-use value program pursuant to G.S. 105-277.3.
- A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- A forest management plan.

**EFFECTIVE DATE:** This section became effective July 3, 2024, and applies to fees levied on or after that date.

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Director



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