



2023-2024 General Assembly

SENATE BILL 382: Disaster Relief-3/Budget/Various Law Changes, Sec. 1D.3: Extending Certain Governmental Approvals Affecting Development of Real Property Within the Affected Area

Committee:		Date:	January 10, 2025
Introduced by:		Prepared by:	Ike McRee
Analysis of:	Sec. 1D.3 of S.L. 2024-57		Staff Attorney

OVERVIEW: *Section 1D.3 of S.L. 2024-57 extends certain government approvals affecting the development of real property within areas impacted by Hurricane Helene by the following:*

- *Directs that for any development approval that is current and valid at any point during the period beginning January 1, 2024, and ending December 31, 2027, the running of the period of the development approval and any associated vested right under GS 160D-108 (concerning permit choice and vested rights) or G.S. 160D-108.1 (site-specific vesting plans) is suspended within the affected area during the period beginning January 1, 2024, and ending December 31, 2027.*
- *Directs that the running of the period of development approval and associated vested right should not be construed or implemented to: (i) extend any permit or approval issued by the United States or any of its agencies or instrumentalities; (ii) extend any permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law; (iii) shorten the duration that any development approval would have had in the absence of this section; (iv) prohibit the granting of such additional extensions as are provided by law; (v) affect any administrative consent order issued by the Department of Environmental Quality in effect or issued at any time from the effective date of the section to December 31, 2027; (vi) affect the ability of a government entity to revoke or modify a development approval pursuant to law; or (vii) modify any requirement of law that is necessary to retain federal delegation by the State of the authority to implement a federal law or program.*
- *Provides that when a development approval that is contingent upon connection to a water supply system or a sanitary sewer system is suspended and there is not sufficient supply or treatment capacity to accommodate requests for additional allocation, the local government that granted the allocation can reallocate reserved capacity from projects whose approvals are suspended but are not ready to proceed if the local government meets the listed requirements for an allocation plan and reallocation plan and does not reallocate capacity to exceed the amount of the reserved capacity.*

This bill was vetoed by the Governor on November 26, 2024, and that veto was overridden by the General Assembly on December 11, 2024. This section of the act became effective December 11, 2024.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578