



2023-2024 General Assembly

SENATE BILL 582: North Carolina Farm Act of 2023, Sec. 11.1: Limit Civil Penalties for Removal of Timber in a Riparian Buffer to the Value of the Timber

Committee:
Introduced by:
Analysis of: Sec. 11.1 of S.L. 2023-63

Date: November 30, 2023
Prepared by: Chris Saunders
Staff Attorney

OVERVIEW: *Section 11.1 of S.L. 2023-63 provides that a civil penalty for removal of timber in a riparian buffer in violation of rules applicable to that riparian buffer cannot exceed the value of the timber removed from the riparian buffer.*

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective July 1, 2023, and applies to acts committed on or after that date.

BILL ANALYSIS:

Prior to enactment of this section, civil penalties issued by the Department of Environmental Quality (DEQ) for violations of riparian buffer rules were capped at \$25,000 per violation. DEQ could assess a civil penalty of more than \$10,000 or, in the case of a continuing violation, more than \$10,000 per day, against a violator only if a civil penalty had been imposed against the violator within the five years preceding the violation.

DEQ has adopted riparian buffer rules for the Neuse River Basin, Tar-Pamlico River Basin, Goose Creek Watershed, Randleman Lake Watershed, Catawba River Basin, and Jordan Lake Watershed.

Section 11.1 of S.L. 2023-63 provides that a civil penalty for removal of timber in a riparian buffer in violation of rules applicable to that riparian buffer cannot exceed the value of the timber removed from the riparian buffer.

EFFECTIVE DATE:

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective July 1, 2023, and applies to acts committed on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578