



# HOUSE BILL 23: Various State and Local Gov't Provisions.

2025-2026 General Assembly

<b>Committee:</b>		<b>Date:</b>	June 26, 2025
<b>Introduced by:</b>	Rep. Huneycutt	<b>Prepared by:</b>	Jessica Sammons
<b>Analysis of:</b>	Conference Committee Substitute (H23-CCSBK-2)		Staff Attorney

**OVERVIEW:** *The Conference Committee Substitute to House Bill 23 would make various changes to State and local laws in North Carolina.*

## CURRENT LAW, BILL ANALYSIS, & EFFECTIVE DATE:

### Part I – Stanly Community College Off Main Campus Culinary Program

Section 9.15 of S.L. 2017-57 prohibits the Stanly Community College Board of Trustees from operating a culinary school or program at a site other than the main campus of Stanly Community College. It also prohibits the use of State funds for this purpose.

Effective when law, Part I would authorize Stanly Community College to operate a culinary program at a site not located at the main campus of Stanly Community College.

### Parts II and IV – New Trails Added to the State Parks

The State Parks Act (Part 32 of Article 2 of Chapter 143B of the General Statutes) provides that State trails, as components of the State Parks System, may be established by the Department of Natural and Cultural Resources upon authorization by an act of the General Assembly. The Department of Natural and Cultural Resources must have the General Assembly's authorization to add new parks to the State Parks System. Additions must be consistent with and address the needs of the State Parks System. All additions must be accompanied by adequate authorization and appropriations for land acquisition, development, and operations. G.S. 143B-135.54(b).

Effective when law:

- Part II would authorize the Gullah Geechee Heritage Trail in Brunswick County. It would require the State to support, promote, encourage, and facilitate the establishment of trail segments on State park lands and on other lands. On segments of the Heritage Trail that cross property controlled by agencies or owners other than the State, the laws, rules, and policies of those agencies or owners would control.
- Part IV would authorize the Department of Natural and Cultural Resources to add the South Fork Passage State Trail in Catawba, Lincoln, and Gaston Counties to the State Parks System as a State trail. The Trail, which would run alongside the South Fork River, would begin at the confluence of the Henry Fork and Jacob Fork at Jacob Fork Park and end at the boundary between the State and South Carolina on Lake Wylie. On segments of the South Fork Passage State Trail that cross property controlled by agencies or owners other than the Department of Natural and Cultural Resource's Division of Parks and Recreation, the laws, rules, and policies of those agencies or owners would control.

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## **Part III – State Property Transfer to the Town of Burgaw**

Article 7 of Chapter 146 of the General Statutes governs disposition of State property and requires that sales of land owned by the State must be made by the Department of Administration and approved by the Governor and Council of State. Article 16 of Chapter 146 of the General Statutes establishes the form of conveyances for State property and, within that Article, G.S. 146-74 requires that proposed conveyances be submitted to the Governor and Council of State for approval.

Effective when law, Part III would do the following:

- Require the State of North Carolina to convey to the Town of Burgaw, for one dollar (\$1.00), all its rights, titles, and interests in approximately 11 acres of land for so long as the property is used for public purposes.
- Require the State of North Carolina to convey the property "as is" and "where is" without representations or warranties concerning the title to the property, its boundaries, the uses to which the property may be put, zoning, local ordinances, or any physical, environmental, health, and safety conditions relating to the property.
- Exempt the conveyance from requiring the approval of the Governor and Council of State.

## **Part V – Codify Lake Norman Marine Commission**

Effective when law, Part V would codify Chapter 1089 of the 1969 Session Laws (An Act to Establish the Lake Norman Marine Commission), as amended, under Article 6B of Chapter 77 of the General Statutes, and do the following:

- Make various revisions to laws that govern the Commission, which includes the following:
  - Enabling the Commission to be re-established by joint resolution of at least three of the four eligible counties, with each participating local government having two appointments to the Commission, and that these commissioners would select an individual to serve as an at-large commissioner, subject to confirmation by the participating local governments.
  - Requiring a 90-day mediation process to occur before a participating local government can withdraw from the Commission.
  - Requiring that at least two counties to withdraw from the Commission in order to dissolve the Commission.
  - Prohibiting commissioners from receiving any form of salary, wages, fees, or other forms of compensation for serving as a commissioner.
  - Requiring the Commission to submit budget requests to participating local governments.
  - Requiring any person born after January 1, 1988, to complete an approved boating education course to operate a motorized watercraft of 20 horsepower or greater on Lake Norman.
  - Requiring each local government participating in the Commission to incorporate in their local code of ordinances the text of every joint resolution and regulation adopted by the Commission.
  - Increasing the maximum penalty for violating a regulation of the Commission from an infraction punishable up to \$500 to a Class 3 misdemeanor punishable by a fine of \$200-\$500.
  - Expressly authorizing the Commission to assess certain fees related to participating in education, training, or certification services provided by the Commission; use of facilities owned or operated by the Commission; or application for a permit administered by the Commission.

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- Subject individuals serving on the Commission to the State Ethics Act, which would require them to submit a Statement of Economic Interest to the State Ethics Commission.
- Make various conforming changes to the statute that governs the membership in the Catawba/Wateree River Basin Advisory Commission.
- Provide that the initial appointments to the governing board of the Commission would become effective on the date that is seven calendar days following the adoption of a joint resolution reconstituting the Lake Norman Marine Commission.
- Provide that all rules, regulations, and decisions made by the predecessor Commission would remain in full force and effect until and unless duly modified by the reconstituted Commission.

## **Part VI – Road and Bridge Naming Designations**

Effective when law, the Department of Transportation would be required to make the following naming designations:

- Rename a bridge on North Carolina Highway 904 that crosses the Columbus and Robeson County Line as the "Assistant Chief Lenneau D. Hammond Bridge."
- Rename a bridge on Rock Barn Road NE that crosses Interstate 40 as the "Mayor Bruce R. Eckard Bridge."
- Rename Complex Street in the Town of Tabor City as "Shane Miller Street."

## **Part VII – Amend the North Carolina State Building Code to Allow Certain Unlimited Area Building Clearances to Include Railroad Rights-of-Way**

The North Carolina State Building Code (Code) contains various volumes of technical requirements for the construction of buildings and structures. The North Carolina Building Code, a volume of the North Carolina State Building Code, contains provisions that regulate area limits and heights of buildings based on the occupancy classification of the building. Unlimited area buildings are currently permitted by the Building Code. Generally speaking, some of these allowances utilize building adjacent “public ways” measurement criteria, defined as “a street, alley, or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet.”

Part VII would require the Building Code Council to amend the Code, and those enforcing the Code prior to the amendment, to include railroad rights-of-way as part of “public ways” for unlimited area building classification for certain existing buildings which also meet specified parcel and building criteria. This Part would be effective when it becomes law and would expire upon the adoption of permanent rules.

*\*Brad Krehely, Karyl Smith, Michael Whitfield, Aaron McGlothlin, and Howard Marsilio, Staff Attorneys in Legislative Analysis Division, substantially contributed to this summary.*