



2025-2026 General Assembly

# HOUSE BILL 251: Various Disaster Recovery Reforms, Sec. 7: Historic Flood Event Building Code Exemptions (Replacing or Reconstructing Existing Buildings).

**Analysis of:** S.L. 2025-18, Sec. 7

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Section 7 of S.L. 2025-18 (House Bill 251) does the following:

- Upon the execution of a memorandum of agreement (MOA) between North Carolina and the Federal Emergency Management Agency (FEMA), authorizes the owner of a lawfully established building or structure damaged by the Helene flood event to replace or reconstruct the building or structure within the base floodplain to the same or lesser extent or volume existing immediately before the historic flood event, without regard to changes in State or local regulations adopted after the building or structure was lawfully established. The MOA must specify conditions under which reconstruction in the designated Helene-affected counties may deviate from the specific the National Flood Insurance Program (NFIP) floodplain management standards, while ensuring that all counties remain eligible for participation in the NFIP.
- Limits local government authority to adopt ordinances to regulate uses in flood hazard areas and grant permits for the use of flood hazard areas that are consistent with floodway regulation statutes.
- Requires all communities in North Carolina to continue to enforce FEMA's minimum floodplain management standards, except for property owners in Helene-affected counties granted specific authority pursuant to the MOA.

This section became effective June 26, 2025, and expires three years from the effective date of the MOA with FEMA, unless otherwise extended by mutual agreement between North Carolina and FEMA or terminated earlier pursuant to the MOA.

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