



This Bill Analysis reflects the contents of the bill as it was presented in committee.

# HOUSE BILL 47: Disaster Recovery Act of 2025 - Part I.

2025-2026 General Assembly

<b>Committee:</b>	House Select Committee on Helene Recovery	<b>Date:</b>	February 5, 2025
<b>Introduced by:</b>	Reps. Greene, Bell	<b>Prepared by:</b>	Michael Whitfield
<b>Analysis of:</b>	PCS to First Edition H47-CSNBa-1		Committee Counsel

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 47 would provide additional appropriations for recovery from Hurricane Helene, extend the state of emergency, and extend certain disaster recovery regulatory and procurement flexibility provisions.*

**BILL ANALYSIS:** The PCS includes the following:

### PART I – TITLE AND SCOPE OF ACT

**Section 1.1** would reflect the title as "The Disaster Recovery Act of 2025 – Part I."

**Section 1.2** would state that the appropriations and allocations made in this act are for maximum amounts necessary to implement this act.

**Section 1.3** would note that this act, unless otherwise provided, applies to the North Carolina counties in the affected area, as defined in Section 1.4.

**Sections 1.4** would provide the following definitions that apply to this act: "Affected area," "CDBG-DR," "FEMA," "Helene Fund," "NCEM," "OSBM," and "SERDRF."

### PART II – DISASTER RECOVERY APPROPRIATION AND TRANSFER

**Section 2.1** would transfer \$275 million from the SERDRF to the Helene Fund.

**Section 2.2** would appropriate \$500 million from the Helene Fund in nonrecurring funds for the 2025-2026 fiscal year, as follows:

- \$150 million to the Department of Commerce, Division of Community Revitalization for the Home Reconstruction and Repair Program (Program). The Program must be CDBG-DR compliant and consistent with HUD's Universal Notice to ensure maximum reimbursement from federal funds.
- \$150 million to the Department of Agriculture and Consumer Services, Division of Soil & Water Conservation for natural restoration projects, and engineering and technical assistance.
- \$100 million to the Department of Public Safety, Division of Emergency Management for the Private Road and Bridge Repair and Replacement Program in accordance with Section 2.3 of this act.
- \$60 million to the Office of State Budget and Management (OSBM) to allocate for the repair and renovation of state facilities damaged by Hurricane Helene, including repairs to State parks, State forests, health care facilities, and other facilities that suffered damage. These funds would

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# House 47 PCS

Page 2

also be used to repair two State correctional facilities in western North Carolina that were closed due to damage from Hurricane Helene.

- \$20 million to OSBM to distribute to State agencies and local governments for debris removal unmet needs. The Governor's Office for Western North Carolina and NCEM shall assist OSBM in coordinating with State agencies and local shareholders.
- \$10 million to NCEM to provide grants to Volunteer Organizations Active in Disaster (VOADs) assisting in the affected area.
- \$10 million to the Office of the State Fire Marshal to disburse as grants to small and volunteer fire departments in the affected area to cover expenses incurred due to Hurricane Helene, and to purchase equipment or make capital improvements to assist with future emergency preparation.

**Section 2.3** would establish the Private Road and Bridge Repair and Replacement Program (Program) within the Department of Public Safety, Division of Emergency Management (NCEM), to disburse grants for the repair and replacement of private roads and bridges damaged or destroyed by Hurricane Helene. NCEM would be directed to work with the Department of Transportation to administer the Program, and would develop criteria to prioritize the repair and replacement of private roads and bridges consistent with this section. NCEM would be directed to take all reasonable steps to obtain federal assistance or alternative funds prior to obligating State funds for the Program if such federal assistance or alternative funds are available and would be directed not duplicate repair efforts. Funds appropriated to NCEM for this program may also be used to provide technical support and assistance for individual and local governments to comply with the no-rise certificate requirements pursuant to FEMA under the National Flood Insurance Program.

NCEM would annually report to the Joint Emergency Management Oversight Committee and the Fiscal Research Division on the award criteria, the location of any private roads or bridges replaced, the average grant amount, the number of projects requested, declined, or funded, and the unmet needs at the end of each fiscal year for private road or bridge replacement.

## **PART III – EXTENSION OF STATE OF EMERGENCY**

**Section 3.1** would further extend the statewide declaration of emergency issued by the Governor in Executive Order No. 315 until June 1, 2025.

## **PART IV – GENERAL PROVISIONS**

### **REVERSION, LIMITATION, AND REPORTING OF FUNDS**

**Section 4.1.(a)** would state that, except as otherwise provided, funds appropriated under Part II of this act shall revert to the Savings Reserve if not expended or encumbered by June 30, 2030.

**Section 4.1.(b)** would state that recipients of State funds under this act shall use best efforts and take all reasonable steps to obtain alternative funds to cover losses or needs for which State funds are provided.

**Section 4.1.(c)** would state that recipients of alternative funds pursuant to Section 4.1.(b) shall remit the funds to the State agency from which the State funds were received not exceeding the amount of State funds provided to the recipient.

**Section 4.1.(d)** would require any contract or other instrument entered into for the receipt of funds to include the requirements set out in Section 4.1.(b) and Section 4.1.(c).

**Section 4.1.(e)** would prohibit the Governor from using the funds described in this act to make budget adjustments under G.S. 143C-6-4 or reallocations under G.S. 166A-19.40(c).

# House 47 PCS

Page 3

**Section 4.1.(f)** would direct the Governor to ensure that funds allocated in this act are expended in such a manner that does not adversely affect any person's or entity's eligibility for federal funds that are made available, or are anticipated to be made available, as a result of natural disasters and to avoid using State funds to cover costs that will, or likely will, be covered by federal funds.

**Section 4.1.(g)** would require OSBM to report to the chairs of the House of Representatives and Senate Appropriations Committees and to the Fiscal Research Division on the implementation of this act on a quarterly basis until the end of the quarter in which all funds are expended.

**Section 4.1.(h)** would provide that in any conflict between any prior reporting requirements and the reporting requirements in Section 4.1.(g) of this act, Section 4.1.(g) of this act would prevail.

## **PART V – DISASTER RECOVERY REGULATORY AND PROCUREMENT FLEXIBILITY**

**Section 5** would extend the expiration dates of various provisions from S.L. 2024-51 (Helene I), S.L. 2024-53 (Helene II), and S.L. 2024-57 (Helene III) from March 2025 to June 1, 2025.

**EFFECTIVE DATE:** Except as otherwise provided, this act would be effective when it becomes law.