

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 149
Committee Substitute Favorable 3/7/23
Senate Education/Higher Education Committee Substitute Adopted 4/4/23
Proposed Conference Committee Substitute H149-PCCS40640-MH-8

Short Title: Disaster Recovery Act of 2024.

(Public)

Sponsors:

Referred to:

February 21, 2023

A BILL TO BE ENTITLED

AN ACT TO ENACT THE DISASTER RECOVERY ACT OF 2024.

The General Assembly of North Carolina enacts:

PART I. TITLE OF ACT

SECTION 1.1. This act shall be known as "The Disaster Recovery Act of 2024."

PART II. LEGISLATIVE FINDINGS

SECTION 2.1.(a) The General Assembly finds that Hurricane Helene was an extremely strong Category 4 hurricane with maximum sustained winds of 140 miles per hour that made landfall on September 26, 2024, along Florida's Gulf Coast and severely impacted the entire Southeastern United States. Hurricane Helene caused widespread heavy rainfall in excess of 30 inches in some areas, record flooding, and significant loss of human life and property in North Carolina. In addition, the General Assembly finds that, on or about September 16, 2024, Potential Tropical Cyclone #8 (PTC8) was a strong weather event that severely impacted Brunswick and New Hanover Counties and caused excessive rainfall in those counties.

SECTION 2.1.(b) The General Assembly finds that, as a result of Hurricane Helene, the following has occurred:

- (1) Western North Carolina endured record-breaking rainfall that created several 1,000-year flood events in several counties, devastating the people, infrastructure, businesses, and schools of entire communities.
- (2) On September 28, 2024, 25 counties in North Carolina were declared a major disaster by the President of the United States under the Stafford Act (P.L. 93-288), approving individual and public assistance for affected counties.
- (3) North Carolinians have lost their lives, loved ones, homes, communities, houses of worship, businesses, jobs, and way of life.
- (4) Countless homes, buildings, and properties have been destroyed.
- (5) Entire communities have lost power, water, sewer, communication, and other essential services due to the devastation.
- (6) Over 400 roads and bridges were damaged and closed for traffic, including Interstate 40.
- (7) Landslides and flooding have cut off entire communities from outside help and communication.



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- 1 (8) Tornadoes were generated across the State as Hurricane Helene passed,
2 causing significant damage in areas outside of the storm's immediate path.
3

4 **PART III. EXTENSION OF STATE OF EMERGENCY**

5 **SECTION 3.1.** In accordance with G.S. 166A-19.20(c)(2), the statewide declaration
6 of emergency issued by the Governor in Executive Order No. 315, concurred to by the Council
7 of State, is extended until March 1, 2025.
8

9 **PART IV. CREATION OF HURRICANE HELENE FUND**

10 **SECTION 4.1.(a)** Hurricane Helene Disaster Recovery Fund. – The Hurricane
11 Helene Disaster Recovery Fund (Helene Fund) is established. The purpose of the Helene Fund
12 is to provide necessary and appropriate relief and assistance from the effects of Hurricane Helene,
13 consistent with the provisions of this act, and subsequent legislation addressing the effects of
14 Hurricane Helene. The Helene Fund shall be maintained as a special fund and administered by
15 the Office of State Budget and Management to carry out the provisions of this and subsequent
16 acts necessitated as a result of Hurricane Helene. All State funds, excluding funds received
17 pursuant to Section 6.2 of this act, appropriated for Hurricane Helene relief and recovery efforts
18 shall be budgeted and accounted for in the Helene Fund established in this section. Federal funds
19 received by State agencies for Hurricane Helene relief and recovery efforts shall be budgeted and
20 accounted for separately within each State agency that receives such funds.

21 **SECTION 4.1.(b)** Applicability of Funds. – Except as otherwise provided, the funds
22 contained in the Helene Fund shall only be expended to support disaster relief and recovery
23 efforts in the following counties:

- 24 (1) Any county declared a major disaster by the President of the United States
25 under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene.
26 (2) Nash County.

27 **SECTION 4.1.(c)** Use of Funds. – Funds shall be drawn from the Helene Fund only
28 as needed upon justification by a State agency as evidence of the need for funds related to
29 Hurricane Helene. Funds in the Helene Fund that are not expended, made subject to an
30 encumbrance, or disbursed shall remain available to implement the provisions of this act and
31 subsequent acts necessitated as a result of Hurricane Helene until the General Assembly directs
32 the reversion of the unexpended funds. Funds received by a State agency from the Helene Fund
33 that are not expended, made subject to an encumbrance, or disbursed to another entity at the end
34 of each fiscal year shall revert to the Helene Fund. Funds received by a non-State entity, as
35 defined in G.S. 143C-1-1, from the Helene Fund that are not expended, made subject to an
36 encumbrance, or disbursed to a subgrantee shall be returned to the Helene Fund no later than
37 June 30, 2030.
38

39 **PART V. CREATION OF POTENTIAL TROPICAL CYCLONE #8 FUND**

40 **SECTION 5.1.(a)** Potential Tropical Cyclone #8 Disaster Recovery Fund. – The
41 Potential Tropical Cyclone #8 Disaster Recovery Fund (PTC8 Fund) is established. The purpose
42 of the PTC8 Fund is to provide necessary and appropriate relief and assistance from the effects
43 of PTC8, consistent with the provisions of this act, and subsequent legislation addressing the
44 effects of PTC8. The PTC8 Fund shall be maintained as a special fund and administered by the
45 Office of State Budget and Management to carry out the provisions of this and subsequent acts
46 necessitated as a result of PTC8. All State and federal funds appropriated for PTC8 relief and
47 recovery efforts shall be budgeted and accounted for in the PTC8 Fund established in this section.

48 **SECTION 5.1.(b)** Applicability of Funds. – The funds contained in the PTC8 Fund
49 shall only be expended to support disaster relief and recovery efforts in Brunswick and New
50 Hanover Counties.

1 **SECTION 5.1.(c)** Use of Funds. – Funds shall be drawn from the PTC8 Fund only
2 as needed upon justification by a State agency as evidence of the need for funds related to PTC8.
3 Funds in the PTC8 Fund that are not expended, made subject to an encumbrance, or disbursed
4 shall remain available to implement the provisions of this act and subsequent acts necessitated as
5 a result of PTC8 until the General Assembly directs the reversion of the unexpended funds. Funds
6 received by a State agency from the PTC8 Fund that are not expended, made subject to an
7 encumbrance, or disbursed to another entity at the end of each fiscal year shall revert to the PTC8
8 Fund. Funds received by a non-State entity, as defined in G.S. 143C-1-1, from the PTC8 Fund
9 that are not expended, made subject to an encumbrance, or disbursed to a subgrantee shall be
10 returned to the PTC8 Fund no later than June 30, 2030.

11
12 **PART VI. FUNDING OF DISASTER RELIEF**

13 **SECTION 6.1.(a)** Transfer and Appropriation for Helene Fund. – Notwithstanding
14 G.S. 143C-4-2, the State Controller shall transfer the sum of two hundred seventy-three million
15 dollars (\$273,000,000) for the 2024-2025 fiscal year from the Savings Reserve established in
16 G.S. 143C-4-2 to the Helene Fund. The following amounts are appropriated within the Helene
17 Fund for the duration of the recovery efforts for the following:

- 18 (1) Two hundred fifty million dollars (\$250,000,000) to the Department of Public
19 Safety, Division of Emergency Management, to provide the State match for
20 federal disaster assistance programs for State agencies and units of local
21 governments. The Division, in coordination with the Office of State Budget
22 and Management, shall also use a portion of these funds to establish a
23 revolving loan program to assist units of local government and State agencies
24 with cash flow management while awaiting federal reimbursement. Funds
25 returned to the Division through the revolving loan fund shall be used for
26 additional cash flow loans or to provide matching funds as needed.
- 27 (2) Sixteen million dollars (\$16,000,000) to the Department of Public Instruction
28 to supplement or replace lost compensation of school nutrition employees due
29 to school closures resulting from Hurricane Helene, in accordance with
30 Section 8.1(c) of this act.
- 31 (3) Two million dollars (\$2,000,000) for the Office of State Budget and
32 Management to provide grants to the North Carolina League of
33 Municipalities, the North Carolina Association of County Commissioners,
34 and the North Carolina Association of Regional Councils of Governments to
35 provide technical assistance with local recovery funds. In providing this
36 assistance, these entities shall prioritize grants to counties with a population
37 of less than 250,000.
- 38 (4) Five million dollars (\$5,000,000) to the State Board of Elections for the
39 purposes set forth in Section 9.1(c) of this act.

40 **SECTION 6.1.(b)** Funding for PTC8 Fund. – It is the intent of the General Assembly
41 to appropriate funds to the PTC8 Fund, established in this act, after appropriate damage
42 assessments are completed in the disaster area.

43 **SECTION 6.1.(c)** It is the intent of the General Assembly to appropriate funds to
44 support disaster relief and recovery efforts in Nash County after appropriate damage assessments
45 are completed.

46 **SECTION 6.2.** Appropriation of Federal Funds. – Funds received on or after
47 September 1, 2024, under the Stafford Act (P.L. 93-288) and other federal disaster assistance
48 programs for State disasters as a result of Hurricane Helene or PTC8, are appropriated in the
49 amounts provided in the notifications of award from the federal government or any entity acting
50 on behalf of the federal government to administer federal disaster recovery funds. The Office of
51 State Budget and Management and affected State agencies shall report all notifications of award

1 to the Joint Legislative Commission on Governmental Operations and the Fiscal Research
2 Division of the General Assembly.

3
4 **PART VII. REVERSION, LIMITATION, AND REPORTING OF FUNDS**

5 **SECTION 7.1.(a)** Reversion. – Funds appropriated under Part VI of this act shall
6 revert to the Savings Reserve established in G.S. 143C-4-2 if not expended or encumbered by
7 June 30, 2030.

8 **SECTION 7.1.(b)** Receipt of Allocations. – A recipient of State funds under this act
9 shall use best efforts and take all reasonable steps to obtain alternative funds that cover the losses
10 or needs for which the State funds are provided, including funds from insurance policies in effect
11 and available federal aid. State funds paid under this act are declared to be excess over funds
12 received by a recipient from the settlement of a claim for loss or damage covered under the
13 recipient's applicable insurance policy in effect.

14 **SECTION 7.1.(c)** Remittance of Funds. – If a recipient obtains alternative funds
15 pursuant to subsection (b) of this section, the recipient shall remit the funds to the State agency
16 from which the State funds were received. A recipient is not required to remit any amount in
17 excess of the State funds provided to the recipient under this act. The State agency shall transfer
18 these funds to the Savings Reserve established in G.S. 143C-4-2. Funds deposited into the Helene
19 or PTC8 Fund, as appropriate, under this subsection are receipts that do not constitute an
20 "appropriation made by law," as that phrase is used in Section 7(1) of Article V of the North
21 Carolina Constitution.

22 **SECTION 7.1.(d)** Contract Requirements. – Any contract or other instrument
23 entered into by a recipient for receipt of funds under this act shall include the requirements set
24 forth in subsections (b) and (c) of this section.

25 **SECTION 7.1.(e)** Recipient Defined. – For purposes of this section, the term
26 "recipient" means a local political subdivision of the State, a State agency, a State department, or
27 a non-State entity.

28 **SECTION 7.1.(f)** Limitation on Powers of Governor. – The Governor may not use
29 the funds described in this act to make budget adjustments under G.S. 143C-6-4 or to make
30 reallocations under G.S. 166A-19.40(c). Nothing in this act shall be construed to prohibit the
31 Governor from exercising the Governor's authority under these statutes with respect to funds
32 other than those described in this act.

33 **SECTION 7.1.(g)** Directive. – The Governor shall also ensure that funds allocated
34 in this act are expended in a manner that does not adversely affect any person's or entity's
35 eligibility for federal funds that are made available, or that are anticipated to be made available,
36 as a result of natural disasters. The Governor shall also, to the extent practicable, avoid using
37 State funds to cover costs that will be, or likely will be, covered by federal funds.

38 **SECTION 7.1.(h)** Allocation Reporting Requirements. – The Office of State Budget
39 and Management shall report to the chairs of the House of Representatives and Senate
40 Appropriations Committees and to the Fiscal Research Division of the General Assembly on the
41 implementation of this act on a quarterly basis until the end of the quarter in which all funds are
42 expended and shall also provide any additional reports or information requested by the Fiscal
43 Research Division. Each report required by this section shall include information about all funds
44 expended or encumbered pursuant to this act as of the date of the report, regardless of which
45 State agency, federal agency, or non-State entity administers the funds. Non-State entities that
46 administer or receive any funds appropriated in this act shall assist and fully cooperate with the
47 Office of State Budget and Management in meeting the Office's obligations under this section.

48
49 **PART VIII. EDUCATION**

1 **INSTRUCTIONAL HOURS FLEXIBILITY AND COMPENSATION FOR PUBLIC**
2 **SCHOOL EMPLOYEES**

3 **SECTION 8.1.(a)** School Calendar Flexibility. – Notwithstanding
4 G.S. 115C-84.2(a)(1), 115C-150.12C(3), 115C-218.85(a)(1), 115C-238.53(d),
5 115C-238.66(1)d., 116-239.8(b)(2)c., Section 6(e) of S.L. 2018-32, and any other provision of
6 State law to the contrary, if the governing body of a public school unit closed any school under
7 its control due to unusual and extraordinary inclement weather conditions related to Hurricane
8 Helene or PTC8, calendar flexibility for missed instructional time during the months of
9 September 2024 and October 2024 shall be provided as follows:

- 10 (1) If the school is located in a public school unit that is located in a county
11 designated before, on, or after the effective date of this act under a major
12 disaster declaration by the President of the United States under the Stafford
13 Act (P.L. 93-288) as a result of Hurricane Helene, in the discretion of its
14 governing body, the public school unit may (i) make up any number of the
15 instructional days or equivalent hours missed, (ii) deem as completed any
16 number of the instructional days or equivalent hours missed up to a total of 20
17 days, or (iii) implement a combination of both of the above.
- 18 (2) For any public school unit not identified in subdivision (1) of this subsection,
19 the governing body of the public school unit may (i) make up any number of
20 the instructional days or equivalent hours missed, (ii) deem as completed any
21 number of the instructional days or equivalent hours missed up to a total of
22 two days, or (iii) implement a combination of both of the above.

23 **SECTION 8.1.(b)** Additional Remote Instruction. – Notwithstanding
24 G.S. 115C-84.3(b) and any other provision of State law to the contrary, the following remote
25 instruction limits apply for the 2024-2025 school year:

- 26 (1) Public school units located in a county designated before, on, or after the
27 effective date of this act under a major disaster declaration by the President of
28 the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane
29 Helene may use additional remote instruction days or equivalent remote
30 instruction hours toward the required instructional days or hours for the school
31 year, up to a total of 30 remote instruction days or 180 remote instruction
32 hours for the public school unit for the school year.
- 33 (2) Public school units located in a county identified in Section 5(b) of this act as
34 affected by PTC8 may use additional remote instruction days or equivalent
35 remote instruction hours toward the required instructional days or hours for
36 the school year, up to a total of 10 remote instruction days or 60 remote
37 instruction hours for the public school unit for the school year.

38 **SECTION 8.1.(c)** Employee Compensation. – Except in the case of a charter school,
39 all employees and contractors of a public school unit shall be deemed to have worked for any
40 scheduled instructional days missed due to Hurricane Helene during the months of September
41 2024 and October 2024 that a public school unit has deemed completed and is not required to
42 make up. Employees and contractors shall be compensated in the same manner they would have
43 if they had worked on the scheduled instructional days missed. The board of directors of a charter
44 school may, but is not required to, provide such compensation for its employees and contractors.

45 Of the funds allocated to the Department of Public Instruction from the Helene Fund,
46 the sum of up to sixteen million dollars (\$16,000,000) in nonrecurring funds for the 2024-2025
47 fiscal year shall be used to provide compensation authorized by this section to public school unit
48 employees and contractors of schools participating in the National School Lunch Program or
49 School Breakfast Program for scheduled instructional days when compensation would have been
50 provided by school meal receipts or by federal funds. Employees and contractors compensated

1 using funds described in this section shall be compensated in the same manner they would have
2 had they worked on the scheduled instructional days missed.

3 If the funds described by this section are insufficient to provide compensation
4 authorized by this section to public school unit employees and contractors in schools participating
5 in the National School Lunch Program or School Breakfast Program for scheduled instructional
6 days when compensation would have been provided by school meal receipts or by federal funds,
7 the Department of Public Instruction shall develop a uniform criteria to determine the
8 comparative economic need of public school units to which this section applies and shall ensure
9 that priority is given to public school units with greatest economic need when awarding available
10 funds.

11 **SECTION 8.1.(d) Reporting Requirement.** – The Department of Public Instruction
12 shall report to the Joint Legislative Education Oversight Committee and the Fiscal Research
13 Division on the implementation of this section by public school units by March 15, 2025, and
14 shall also provide any additional reports or information requested by the Fiscal Research
15 Division. The report required by this section shall include information on the following:

- 16 (1) Any days missed due to Hurricane Helene or PTC8 before, on, or after the
17 effective date of this section.
- 18 (2) Of the days missed, any scheduled makeup days due to Hurricane Helene or
19 PTC8 before, on, or after the effective date of this section, and the dates of
20 those makeup days.
- 21 (3) Of the days missed, any days and hours deemed completed by the public
22 school unit as a result of this section.
- 23 (4) Any compensation provided to employees and contractors pursuant to
24 subsection (c) of this section.

25 For each component of the report, separate information shall be included on any
26 individual schools within the public school unit whose information differs from the rest of the
27 unit as a whole. Public school units shall provide information on implementation of this section
28 in the form requested by the Department of Public Instruction no later than February 15, 2025.
29

30 **EXTEND PAYMENT DEADLINE FOR PRINCIPAL BONUSES**

31 **SECTION 8.2.(a)** Notwithstanding Section 1.3(e) of S.L. 2024-39, the bonuses
32 provided to qualifying principals pursuant to Section 1.3 of S.L. 2024-39 shall be paid no later
33 than November 30, 2024, to qualifying principals employed as of October 1, 2024.

34 **SECTION 8.2.(b)** This section applies only to qualifying principals employed in a
35 public school unit that is located in a county (i) declared a major disaster by the President of the
36 United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene or (ii) listed
37 in Section 5(b) of this act.
38

39 **COMPLETION OF THE EPP CLINICAL INTERNSHIP REQUIREMENT FOR 40 CERTAIN STUDENTS IMPACTED BY HURRICANE HELENE OR PTC8**

41 **SECTION 8.3.(a)** Notwithstanding G.S. 115C-269.25(d)(1), a student who is
42 enrolled in an educator preparation program (EPP) that is assigned the status of initially
43 authorized or authorized by the State Board of Education pursuant to G.S. 115C-269.5 may have
44 the clinical internship requirement set forth in G.S. 115C-269.25(d)(1) deemed completed if the
45 student meets all of the following conditions:

- 46 (1) The student meets at least one of the following:
 - 47 a. Is enrolled in an EPP that is located in a county (i) declared a major
48 disaster by the President of the United States under the Stafford Act
49 (P.L. 93-288) as a result of Hurricane Helene or (ii) listed in Section
50 5(b) of this act.

1 b. Has been placed with an elementary or secondary partner school, as
2 defined in G.S. 115C-269.1(14), that is located in a county (i) declared
3 a major disaster by the President of the United States under the
4 Stafford Act (P.L. 93-288) as a result of Hurricane Helene or (ii) listed
5 in Section 5(b) of this act.

6 (2) The student has completed as much time in a clinical internship as practicable
7 during the 2024 fall academic semester.

8 (3) The student cannot graduate in December 2024 from the EPP without the
9 clinical internship requirement being deemed completed pursuant to this
10 section.

11 **SECTION 8.3.(b)** By February 1, 2025, any EPP with an enrolled student who has
12 his or her clinical internship requirement deemed completed pursuant to subsection (a) of this
13 section shall report to the State Board of Education with the following information:

14 (1) Number of students who had the clinical internship requirement deemed
15 completed.

16 (2) Reasons for a clinical internship requirement being deemed completed.

17 (3) Amount of time completed for a clinical internship.

18 (4) Any other information required by the State Board of Education.

19 By March 15, 2025, the State Board of Education shall report to the Joint Legislative
20 Education Oversight Committee on the information reported to the State Board of Education by
21 EPPs under this section.

22

23 **PART IX. ELECTION MODIFICATIONS**

24 **SECTION 9.1.(a)** In response to the disaster caused by Hurricane Helene and its
25 aftermath, the following shall apply for the November 2024 election only in the counties listed
26 in subsection (b) of this section:

27 (1) Notwithstanding G.S. 163-41, any registered voter of the State who is
28 otherwise eligible may be appointed to serve as chief judge and judges for
29 each precinct in the county, regardless of precinct or county of residence.
30 Notwithstanding G.S. 163-42 and G.S. 163-42.1, any registered voter of the
31 State who is otherwise eligible may be appointed to serve as assistant or
32 student election assistant at each precinct in the county, regardless of county
33 of residence. Notwithstanding G.S. 163-43, any registered voter of the State
34 who is otherwise eligible may serve as a ballot counter at each precinct in the
35 county, regardless of county of residence. An election official's failure to
36 return contact or confirm availability to serve with the county board of
37 elections office constitutes a vacancy for "any other cause" under
38 G.S. 163-41(d). Notwithstanding any other provision of law, the oath of office
39 for a chief judge, judge, assistant, or student election assistant may be
40 administered by electronic or telephonic means.

41 (2) Any employee of the State serving as a chief judge or judge, assistant or
42 student election assistant, or ballot counter may do so without taking any leave
43 time granted under Chapter 126 of the General Statutes or any agency policy.

44 (3) Notwithstanding G.S. 163-82.24 or any other training requirement for election
45 officials, the State Board of Elections may develop and implement training
46 programs for county board of elections members, county directors, full-time
47 employees of the county boards of elections, chief judges, and all other
48 precinct officials who are appointed to replace, supplement, or otherwise
49 assist in the administration of the November 2024 election.

50 (4) A county board of elections, by bipartisan majority vote, may modify its Plan
51 for Implementation for the November 2024 election as it was approved in

1 accordance with Part 5 of Article 14A of Chapter 163 of the General Statutes
2 prior to September 28, 2024. To approve any such modifications, the county
3 board of elections shall make written findings in a resolution that the
4 modifications are required by the effects of the recent disaster and provide a
5 copy of that resolution to the State Board of Elections. In modifying the Plan
6 for Implementation as approved prior to September 28, 2024, the county board
7 of elections shall seek to minimize, to the extent possible, any reduction in the
8 overall number of hours available for voters to participate in early voting in
9 the county. The uniform days and hours requirements of G.S. 163-166.35
10 shall not apply strictly but shall be observed to the greatest extent practicable.
11 Modifications may include any of the following:

- 12 a. Substituting sites.
- 13 b. Removing sites that are unusable. Before removing a site, the county
14 board shall make all feasible attempts to maintain the site or to
15 substitute a site.
- 16 c. Adding days that any site is open within the established early voting
17 period.
- 18 d. Extending hours that any site is open on any days within the
19 established early voting period.
- 20 e. Reducing hours that any site is open on any days within the established
21 early voting period.

22 (5) Election Day polling places may be modified by bipartisan majority vote of
23 the county board of elections. To approve any such modifications, the county
24 board of elections must make written findings in a resolution that the
25 modifications are required by the effects of the recent disaster and provide a
26 copy of that resolution to the State Board of Elections. County boards of
27 elections are encouraged to consider what option above is best for the
28 disaster-related needs of the county. The county board of elections shall strive
29 to maintain voting access as close to existing polling places as possible and
30 should resort to establishing polling places outside of a precinct only as a last
31 resort. Notice of any modification under this subdivision shall be given to the
32 impacted voters by mail, and by any email address or phone number that the
33 county board of elections has for the impacted voter, as soon as possible
34 following approval of the modification. The county board of elections shall
35 also cause the notice to be immediately delivered to all local media and the
36 chairs of the county political parties and shall cause the notice to be posted on
37 the county board of elections' website as soon as possible. Modifications may
38 include any of the following:

- 39 a. A transfer of voters from a given precinct to another in the county, even
40 if the receiving precinct is not adjacent if no adjacent precinct is
41 available. Notwithstanding G.S. 163-128, the Executive Director of
42 the State Board of Elections may approve the transfer of polling
43 places, including polling places serving two or more combined
44 precincts, provided the county board of elections continues to comply
45 with G.S. 163-132.5G to maintain voting data by precinct regardless
46 of where that voter cast his or her ballot. In accordance with
47 G.S. 163-128, the county board of elections shall maintain separate
48 registration and voting records, consistent with the procedure
49 prescribed by the State Board of Elections, so as to properly identify
50 the precinct in which such voters reside, including separate tabulators
51 for the voters of each of the combined precincts.

- 1 b. The establishment of out-of-precinct polling places. Such a polling
2 place may be located in another North Carolina county adjacent to the
3 precinct, to be staffed and managed by the county board of elections
4 establishing the out-of-precinct polling place. Approval of the
5 Executive Director of the State Board of Elections is required,
6 consistent with G.S. 163-130.1. Any polling place established under
7 this provision may be co-located with another. In accordance with
8 G.S. 163-128, the county board of elections shall maintain separate
9 registration and voting records, consistent with the procedure
10 prescribed by the State Board of Elections, so as to properly identify
11 the precinct in which such voters reside, including separate tabulators
12 for the voters of each of the combined precincts. The county board of
13 elections shall comply with G.S. 163-132.5G to maintain voting data
14 by precinct regardless of where that voter cast his or her ballot.
- 15 c. The establishment of more than one polling place in a precinct. Such
16 a polling place may be located in another North Carolina county
17 adjacent to the precinct, to be staffed and managed by the county board
18 of elections establishing the additional polling place. In accordance
19 with G.S. 163-130.2, approval of the Executive Director of the State
20 Board of Elections is required. Any polling place established under
21 this provision may be co-located with another precinct's polling place,
22 but the materials, tabulators, and voting processes shall be kept
23 separate for each precinct's voters at that polling place.
- 24 d. Allow the central transfer precinct to be used by any county voter on
25 Election Day. If the county board of elections codes its ballots by style,
26 the county board of elections shall write the precinct designation on
27 the voter's ballot, to facilitate the post-election precinct sort. The
28 county board of elections should follow the same procedures as
29 outlined in G.S. 163-166.35, 163-166.40, 163-166.45, and
30 163-166.50.
- 31 (6) In accordance with G.S. 163-231(b), all absentee ballots issued under Article
32 20 of Chapter 163 of the General Statutes must be returned no later than 7:30
33 P.M. on November 5, 2024. In addition to the methods of returning an
34 absentee ballot authorized by G.S. 163-231(b), maintaining the log required
35 by G.S. 163-166.8(d), and notwithstanding G.S. 163-166.3, voted absentee
36 ballots may be delivered in person, by a voter registered in an impacted county
37 or that voter's near relative or verifiable legal guardian, by physically handing
38 the voted absentee ballot to an elections official at any of the following:
- 39 a. Any county board of elections in this State at any time that county
40 board of elections is open.
- 41 b. Any early voting site under Part 5 of Article 14A of Chapter 163 of
42 the General Statutes in this State at any time that the early voting site
43 is open for voting.
- 44 c. Any voting place in this State on the day of the election at any time
45 during the hours for voting as provided in G.S. 163-166.25.
- 46 (7) Members, employees, or volunteers of the impacted county board of elections
47 working as part of a bipartisan team trained and authorized by the county
48 board of elections may assist any eligible voter in requesting an absentee
49 ballot, serve as witnesses to absentee ballots, or otherwise assist in the process
50 of absentee voting as provided by Article 20 of Chapter 163 of the General
51 Statutes.

- 1 (8) The county board of elections shall process an absentee ballot request from a
2 voter or a voter's near relative or verifiable legal guardian in person at the
3 county board of elections office up until 5:00 P.M. on November 4, 2024,
4 similar to the provision in G.S. 163-230.1(b). The voter or the voter's near
5 relative or verifiable legal guardian is required to complete the absentee ballot
6 request form with the required personal information, and that information
7 must be verified as with any absentee ballot request. However, the county
8 board of elections may provide the voter or voter's near relative or verifiable
9 legal guardian with the voter's absentee ballot envelope at the office location.
10 County boards of elections shall maintain a log of any individual, other than
11 a minor child under the age of 18 in the care of a voter, who presents to submit
12 an absentee ballot request on behalf of a voter. The log shall include the
13 printed name and address of the individual at the county board of elections
14 office, the time the individual arrived at the county board of elections office,
15 and a space for that individual's signature. The absentee ballot request shall be
16 deemed incomplete unless the individual's signature is included in the log. The
17 log required by this subdivision shall be confidential and not a public record
18 until the opening of the voting place in accordance with G.S. 163-166.25, at
19 which time the official register shall constitute a public record.
- 20 (9) The county board of elections shall process a spoil-and-reissue, or cure, of an
21 absentee ballot at the county board of elections office. A voter's near relative
22 or verifiable legal guardian, or anyone designated by the voter to assist due to
23 the voter's disability, may retrieve any required cure documentation to take to
24 a voter who is required to cure a deficiency with an absentee ballot, if needed.
25 County boards of elections shall maintain a log of any individual, other than
26 a minor child under the age of 18 in the care of a voter, who presents to retrieve
27 cure documentation on behalf of a voter. The log shall include the printed
28 name and address of the individual at the county board of elections office, the
29 time the individual arrived at the county board of elections office, and a space
30 for that individual's signature. The cure process shall be deemed incomplete
31 unless the individual's signature is included in the log. The log required by
32 this subdivision shall be confidential and not a public record until the opening
33 of the voting place in accordance with G.S. 163-166.25, at which time the
34 official register shall constitute a public record.
- 35 (10) The county boards of elections shall allow the chair of each political party in
36 the county to designate poll observers, as defined in G.S. 163-45.1(a), who are
37 registered voters of any North Carolina county. All poll observers shall be
38 designated in accordance with G.S. 163-45.1.

39 **SECTION 9.1.(b)** This section applies only to the impacted Counties of Alexander,
40 Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston,
41 Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk,
42 Rutherford, Transylvania, Watauga, Wilkes, and Yancey.

43 **SECTION 9.1.(c)** The funds appropriated in this act to the State Board of Elections
44 shall be used for the following purposes in the counties listed in Section 9.1(b) of this act. The
45 State Board of Elections shall make all reasonable efforts to address the expressed needs of each
46 county board of elections in allocating these funds:

- 47 (1) Technology, such as attack response kits, SOSA deployments, and Netcloud.
48 (2) Printing and communications, such as re-printing absentee ballots, mailing
49 materials to registered voters, and purchasing emergency communication
50 systems for counties as needed.
51 (3) Temporary staff for counties and the State Board of Elections.

- 1 (4) Leases for temporary sites, Printelect mobile voting units, and equipment and
2 supplies to support temporary sites which may have sustained damage.

3 **SECTION 9.1.(d)** This section is effective when it becomes law and applies for the
4 November 2024 election only.

5 **SECTION 9.2.(a)** In response to the disaster caused by Hurricane Helene and its
6 aftermath, the following shall apply in all counties for the November 2024 election only:

- 7 (1) For voted absentee ballots returned in accordance with subdivision (6) of
8 Section 9.1(a) of this Part, the State Board of Elections shall establish a
9 uniform process by which the properly received voted absentee ballots are
10 transmitted to the appropriate county board of elections prior to canvass. The
11 county board of elections or State Board of Elections that receives such an
12 out-of-county absentee ballot shall immediately date-stamp the absentee
13 ballot envelope and shall ensure that the voted absentee ballots of such voters
14 are delivered to the appropriate county board of elections for the voter's county
15 of registration by the day before county canvass, either by trackable mail,
16 commercial delivery service, or delivery by a staff member of the county
17 board of elections or State Board of Elections. If delivery to the voter's county
18 board of elections is made by staff of a county board of elections or the State
19 Board of Elections, transport of the voted absentee ballots shall be in a sealed,
20 secure container, with clear documentation of the chain of custody. The
21 county board of elections or State Board of Elections receiving the
22 out-of-county voted absentee ballots shall note the date, time, individual
23 receiving the voted absentee ballots, and individual delivering the voted
24 absentee ballots, as well as the impacted county to which the voted absentee
25 ballots will be sent, in a log. The log required by this subdivision shall be
26 confidential and not a public record until the opening of the voting place in
27 accordance with G.S. 163-166.25, at which time the official register shall
28 constitute a public record. On a daily basis and on Election Night, each
29 receiving county shall report to the State Board of Elections the number of
30 voted absentee ballots received in such a manner for each impacted county,
31 which report shall be a public record.

- 32 (2) For absentee ballots voted or returned in accordance with subdivision (7) of
33 Section 9.1(a) of this Part, the State Board of Elections shall establish a
34 uniform process for multipartisan teams to assist voters in voting absentee
35 ballots and documenting the receipt and transmittal of the voted absentee
36 ballots to the appropriate county board of elections.

- 37 (3) Notwithstanding G.S. 163-27.1, the State Board of Elections shall not exercise
38 any emergency power inconsistent with this act.

- 39 (4) The State Board of Elections shall strive to educate all eligible voters impacted
40 or displaced by the disaster regarding the options to cast a ballot during the
41 November 2024 election, which efforts shall include the establishment of a
42 hotline for voters to call to obtain answers to individual questions about how
43 to cast a ballot in the November 2024 election. Educational materials and
44 hotline contact information shall, at a minimum, be distributed to State
45 agencies, shelters, groups, and other organizations serving persons impacted
46 or displaced by the disaster and posted on the website of the State Board of
47 Elections. The State Board of Elections may contract for communication
48 services to implement this section but may not contract with any firm actively
49 working on a campaign for any elected office in this State.

50 **SECTION 9.2.(b)** The State Board of Elections, no later than April 15, 2025, shall
51 report to the Joint Legislative Elections Oversight Committee as to the efforts made to implement

1 this Part. The report shall include an evaluation of emergency measures necessary to ensure the
2 seamless conduct of secure elections in the aftermath of a natural disaster and recommendations
3 for emergency response plans in the future.
4

5 **PART X. AGRICULTURE AND ENVIRONMENTAL QUALITY**

6 7 **FUNDING FLEXIBILITY FOR DRINKING WATER AND WASTEWATER** 8 **INFRASTRUCTURE PROJECTS**

9 **SECTION 10.1.(a)** Definitions. – The following definitions apply to this section:

- 10 (1) Infrastructure funding provision. – An appropriation to the Clean Water
11 Reserve or the Drinking Water Reserve for wastewater or drinking water
12 infrastructure projects in any prior act of the General Assembly.
13 (2) Local government unit. – As defined in G.S. 159G-20.

14 **SECTION 10.1.(b)** Fund Flexibility. – Notwithstanding any provision of (i)
15 Chapters 159G and 143C of the General Statutes and (ii) the requirements and limitations of any
16 infrastructure funding provision, the Department of Environmental Quality may do the
17 following:

- 18 (1) Transfer funds between the Clean Water Reserve and the Drinking Water
19 Reserve accounts in the Water Infrastructure Fund established in
20 G.S. 159G-22 to provide emergency loans to local governments as set forth in
21 G.S. 159G-33(a)(4) and G.S. 159G-34(a)(4). The limits set forth in
22 G.S. 159G-36(c) shall not apply to these loans.
23 (2) Authorize local government units within the counties described in Section
24 4(b)(1) of this act that were provided funds under an infrastructure funding
25 provision to use those funds for the following:
26 a. Mitigation or remediation of disaster-related damage, delay, or other
27 impairment to allow a planned, ongoing, or completed drinking water
28 or wastewater infrastructure project to begin, resume, or continue to
29 operate.
30 b. Temporary measures that allow the preservation or restoration of
31 drinking water and wastewater service or emergency operations at a
32 drinking water or wastewater facility.
33

34 **WASTEWATER TREATMENT PLANT SERVICE FLEXIBILITY**

35 **SECTION 10.2.** G.S. 143-215.3 is amended by adding a new subsection to read:

36 "(g) Wastewater Management Authority During State of Emergency. – When a state of
37 emergency, as defined in G.S. 166A-19.3, has been declared by the Governor due to a natural
38 disaster such as a hurricane, tornado, or flood, or due to a pending disaster, the Department may,
39 during the state of emergency, require wastewater treatment plants to accept domestic septage,
40 as that term is defined by G.S. 130A-290(a)(32)a., including domestic septage originating from
41 beyond the county or municipal boundaries where a plant is located, to the extent that the capacity
42 and capabilities of the plant are not negatively impacted."
43

44 **STORM DEBRIS OPEN BURNING REGULATORY RELIEF**

45 **SECTION 10.3.(a)** The following definitions apply to this section and its
46 implementation:

- 47 (1) The definitions set out in G.S. 130A-290.
48 (2) The definitions set out in 15A NCAC 02D .0101 (Air Pollution Control
49 Requirements: Definitions and References).
50 (3) "Storm-related debris" means any solid and engineered wood products,
51 vegetative land-clearing debris, or yard trash that originates from designated

1 counties in an emergency area as defined in G.S. 166A-19.3(7) as a result of
2 the impacts of Hurricane Helene occurring on September 25-30, 2024.

3 **SECTION 10.3.(b)** From the date that the state of emergency was declared by the
4 Governor under Executive Order No. 315 through March 31, 2025, the open burning of
5 storm-related debris is permissible without an air quality permit if the conditions of 15A NCAC
6 02D .1903(b)(2)(A) through (E) are met. Open burning of storm-related debris shall not,
7 however, be initiated in a county for which the Department of Environmental Quality or the
8 Forsyth County Office of Environmental Assistance and Protection has forecasted an "Air
9 Quality Action Day Code 'Orange' or above" during the 24-hour time period covered by that Air
10 Quality Action Day.

11 **SECTION 10.3.(c)** The provisions of subsection (b) of this section shall not be
12 construed to (i) allow the burning of inert debris, including asphalt shingles, tar paper, insulation,
13 drywall, concrete, bricks, or glass, (ii) allow the burning of tires, wire, plastics, refuse,
14 salvageable items, or dangerous or hazardous materials, (iii) allow any activity that would violate
15 federal law, or (iv) allow any activity that causes an imminent threat to public health or safety.

16 **SECTION 10.3.(d)** The authority to conduct open burning pursuant to this section
17 does not exempt or excuse a person from the consequences, damages, or injuries that may result
18 from this conduct. It does not excuse or exempt a person from complying with laws, ordinances,
19 rules, or orders of other governmental entities having jurisdiction even though the open burning
20 is conducted in compliance with this section.

21 **SECTION 10.4.** Article 78 of Chapter 106 of the General Statutes is amended by
22 adding a new section to read:

23 **"§ 106-951. Waiver of permits required for certain open burning during state of**
24 **emergency.**

25 (a) When a state of emergency, as defined in G.S. 166A-19.3, has been declared by the
26 Governor due to a natural disaster or due to a pending disaster, the Commissioner may waive
27 permitting requirements under this Article for the open burning of storm-related debris generated
28 as a result of a natural disaster in areas affected by the disaster. A waiver issued pursuant to this
29 subsection may include limitations on burning with respect to property setbacks, timing of burns,
30 and other matters as the Commissioner deems necessary or advisable for the protection of health,
31 safety, and protection of property. For purposes of this section, the following definitions apply:
32 (i) definitions set out in G.S. 130A-290 and (ii) "storm-related debris" means any solid and
33 engineered wood products, vegetative land-clearing debris, or yard trash that originates from
34 designated counties in an emergency area as defined in G.S. 166A-19.3(7).

35 (b) The Commissioner shall suspend or terminate a waiver of permitting requirements
36 for open burning of storm-related debris granted pursuant to subsection (a) of this section upon
37 determination of (i) the Commissioner that hazardous forest fire conditions exist in the affected
38 area or (ii) the Environmental Management Commission that open burning in the affected area
39 is causing significant contravention of ambient air quality standards or that an air pollution
40 episode exists pursuant to Article 21B of Chapter 143 of the General Statutes.

41 (c) Authority granted to the Commissioner pursuant to this section shall not be construed
42 to limit the authority of the Environmental Management Commission or the Department of
43 Environmental Quality to regulate air quality pursuant to Articles 21 and 21B of the General
44 Statutes and rules adopted thereunder governing open burning.

45 (d) The Commissioner shall issue a press release containing relevant details of waivers
46 granted pursuant to this section, and suspension or termination of a waiver, to news media and
47 governmental agencies serving the area affected.

48 (e) Open burning conducted pursuant to authority granted by this section does not exempt
49 or excuse a person from the consequences, damages, or injuries that may result from this conduct.
50 It does not excuse or exempt a person from complying with laws, ordinances, rules, or orders of

1 other governmental entities having jurisdiction even though the open burning is conducted in
2 compliance with this section."

3
4 **CONFORM AIR CURTAIN INCINERATOR PERMITTING REQUIREMENTS TO**
5 **FEDERAL LAW**

6 **SECTION 10.5.(a)** Definitions. – For purposes of this section and its
7 implementation, "Air Curtain Incinerators Rule" means 15A NCAC 02D .1904 (Air Curtain
8 Incinerators).

9 **SECTION 10.5.(b)** Air Curtain Incinerators Rule. – Until the effective date of the
10 revised permanent rule that the Environmental Management Commission is required to adopt
11 pursuant to subsection (d) of this section, the Commission shall implement the Air Curtain
12 Incinerators Rule as provided in subsection (c) of this section.

13 **SECTION 10.5.(c)** Implementation. – Consistent with recent revisions to the federal
14 Clean Air Act's Air Curtain Incinerators Title V Permitting provisions, owners and operators of
15 permanent and temporary air curtain incinerators subject to 40 C.F.R. Part 60, Subparts EEEE
16 and FFFF, shall not be required to obtain a General Title V Operating Permit.

17 **SECTION 10.5.(d)** Additional Rulemaking Authority. – The Commission shall
18 adopt a rule to amend the Air Curtain Incinerators Rule consistent with subsection (c) of this
19 section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this
20 section shall be substantively identical to the provisions of subsection (c) of this section. Rules
21 adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the
22 General Statutes. Rules adopted pursuant to this section shall become effective as provided in
23 G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in
24 G.S. 150B-21.3(b2).

25 **SECTION 10.5.(e)** Sunset. – This section expires when permanent rules adopted as
26 required by subsection (d) of this section become effective.

27
28 **RAPID RECOVERY LOAN PROGRAM EXTENSION**

29 **SECTION 10.6.** Section 4.2 of S.L. 2020-4, as amended by Section 1.6 of S.L.
30 2020-97, Section 20.11 of S.L. 2022-6, Section 11.12 of S.L. 2022-74, and Section 11.5A of S.L.
31 2023-134, reads as rewritten:

32 "**SECTION 4.2.(a)** Program. – Of the funds allocated in subdivision (45) of Section 3.3 of
33 this act, Golden LEAF shall provide grants to entities for the purpose of making emergency loans
34 to assist small businesses with business needs during periods of economic hardship occasioned
35 by the COVID-19 pandemic. It is the intent of the General Assembly for an equitable portion of
36 funds allocated in this section to be used for the benefit of historically underutilized small
37 businesses. The following shall apply to the program and loans made under the program:

38 ...

39 (5) Except as provided in ~~subdivision~~subdivisions (9a) and (9b) of this
40 subsection, the term of the loan shall not exceed 168 months and shall be
41 amortized over the term of the loan.

42 ...

43 (9a) A lender, as authorized by Golden LEAF, may take prudent and commercially
44 reasonable efforts to remedy a default, a likelihood of default, or bankruptcy
45 filing by a business, including restructuring the terms of a loan and entering
46 into settlement agreements, provided that, if a loan is restructured, the
47 following requirements are met:

48 a. The interest rate is not reduced below prime rate.

49 b. The term of the loan is not extended by more than 36 months.

50 (9b) A lender, as authorized by Golden LEAF, may extend the term of the loan to
51 180 months for businesses impacted by Hurricane Helene located in counties

1 defined in the Small Business Administration Declaration NC-20007 and any
2 modification or expansion of that declaration.

3"
4

5 PART XI. TRANSPORTATION

6 WAIVER OF CERTAIN DMV FEES

7 **SECTION 11.1.(a)** Notwithstanding G.S. 20-14, 20-37.7, 20-85, and 20-88.03, the
8 Governor may waive any fees assessed by the Division of Motor Vehicles under those sections
9 for the following:
10

- 11 (1) A duplicate drivers license, duplicate commercial drivers license, or duplicate
12 special identification card.
- 13 (2) A special identification card issued to a person for the first time.
- 14 (3) An application for a duplicate or corrected certificate of title.
- 15 (4) A replacement registration plate.
- 16 (5) An application for a duplicate registration card.
- 17 (6) Late payment of a motor vehicle registration renewal fee.

18 **SECTION 11.1.(b)** The waiver authorized under subsection (a) of this section only
19 applies to residents of counties impacted by Hurricane Helene or PTC8, as determined by the
20 Governor. A resident is allowed a refund of any fee assessed and collected by the Division of
21 Motor Vehicles and waived pursuant to this section. The Division shall post notice of the
22 availability of a refund on its website.

23 **SECTION 11.1.(c)** This section is effective when it becomes law and applies to fees
24 assessed or collected on or after September 15, 2024. This section expires December 31, 2024.
25

26 WAIVER OF CERTAIN PERMITTING REQUIREMENTS ASSOCIATED WITH 27 STATE HIGHWAY SYSTEM REPAIRS

28 **SECTION 11.2.** G.S. 166A-19.30(a) reads as rewritten:

29 **"§ 166A-19.30. Additional powers of the Governor during state of emergency.**

30 (a) In addition to any other powers conferred upon the Governor by law, during a
31 gubernatorially or legislatively declared state of emergency, the Governor shall have the
32 following powers:

33 ...

- 34 (5) Through issuance of an executive order to waive requirements for an
35 environmental document or permit issued under Articles 1, 4, and 7 of Chapter
36 113A of the General Statutes for the repair, protection, safety enhancement,
37 or replacement of a component of the State highway system ~~that provides the~~
38 ~~sole road access to an incorporated municipality or an unincorporated~~
39 ~~inhabited area bordering the Atlantic Ocean or any coastal sound~~ where bridge
40 or road conditions as a result of the events leading to the declaration of the
41 state of emergency pose a substantial risk to public health, safety, or welfare.
42 The executive order shall list the duration of the waiver and the activities to
43 which the waiver applies. For purposes of this subdivision, ~~"coastal sound"~~
44 ~~shall have the definition set forth in G.S. 113A-103, and~~ "replacement" shall
45 not be interpreted to exclude a replacement that increases size or capacity or
46 that is located in a different location than the component that is replaced."
47

48 PROCUREMENT METHODS AUTHORIZED IN DISASTER AREAS

49 **SECTION 11.3.(a)** Notwithstanding any other provision of law and without impact
50 on otherwise established caps on a contracting methodology, the Department of Transportation

1 is authorized to utilize the following methods to contract for the repair and replacement of
2 transportation infrastructure damaged or destroyed as a result of the impacts of Hurricane Helene:

- 3 (1) Progressive design-build.
- 4 (2) Design-build.
- 5 (3) Design-bid-build.
- 6 (4) Indefinite delivery-indefinite quantity.
- 7 (5) Construction manager-general contractor.

8 **SECTION 11.3.(b)** The temporary authority granted by this section applies to all of
9 the counties identified in Section 4(b)(1) of this act with a population of less than 500,000,
10 according to the United States Bureau of the Census as of July 1, 2023.

11 **PART XII. RETIREMENT AND STATE HUMAN RESOURCES**

12 **TEMPORARILY REMOVE BARRIERS TO ALLOW RETIREES OF THE TEACHERS'** 13 **AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LOCAL** 14 **GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO RETURN TO WORK** 15 **ON A PART-TIME, TEMPORARY, OR INTERIM BASIS**

16 **SECTION 12.1.(a)** For individuals who retired under the Teachers' and State
17 Employees' Retirement System (TSERS) on or after April 1, 2024, but before October 1, 2024,
18 the six-month separation from service from an employer required under G.S. 135-1(20) in order
19 for a retirement to become effective shall not apply and instead a one-month separation shall be
20 required, provided that the position to which the individual returns is needed due to the state of
21 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
22 certified to the Retirement Systems Division of the Department of State Treasurer by the
23 employing agency.

24 **SECTION 12.1.(b)** Upon the expiration of subsection (a) of this section, all of the
25 following shall apply:

- 26 (1) The six-month separation from an employer required under G.S. 135-1(20)
27 shall again be applicable to individuals who retired under TSERS on or after
28 April 1, 2024, but before October 1, 2024.
- 29 (2) In order for a member's retirement under TSERS on or after April 1, 2024, but
30 before October 1, 2024, to become effective in any month, the member must
31 perform no work for an employer, including part-time, temporary, substitute,
32 or contractor work, at any time between the expiration of subsection (a) of this
33 section and the end of the six months immediately following the effective date
34 of retirement, provided the expiration of the six-month period of separation
35 did not occur while subsection (a) of this section was in effect.

36 **SECTION 12.1.(c)** For individuals who retired under TSERS on or after April 1,
37 2024, but before October 1, 2024, any time worked between September 25, 2024, and the time
38 subsection (a) of this section expires shall not be considered work for the purposes of the
39 six-month separation required under G.S. 135-1(20) or for the purposes of G.S. 135-3(d),
40 provided the position held by the individual is needed due to the state of emergency related to
41 Hurricane Helene or associated Hurricane Helene recovery efforts, as certified to the Retirement
42 Systems Division of the Department of State Treasurer by the employing agency.

43 **SECTION 12.1.(d)** For individuals who retired prior to October 1, 2024, any
44 earnings received between September 25, 2024, and the time that subsection (a) of this section
45 expires shall not be treated as earned by a TSERS beneficiary under the provisions of
46 G.S. 135-3(a)(8)c., provided those earnings are related to a position needed due to the state of
47 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
48 certified to the Retirement Systems Division of the Department of State Treasurer by the
49 employing agency.

1 **SECTION 12.1.(e)** For individuals who retired prior to October 1, 2024, any
2 earnings received between September 25, 2024, and the time that subsection (a) of this section
3 expires shall not be treated as earned by a beneficiary of the Local Governmental Employees
4 Retirement System (LGERS) under the provisions of G.S. 128-24(5)c., provided those earnings
5 are related to a position needed due to the state of emergency related to Hurricane Helene or
6 associated Hurricane Helene recovery efforts, as certified to the Retirement Systems Division of
7 the Department of State Treasurer by the employing unit.

8 **SECTION 12.1.(f)** Any benefits received by or paid to a law enforcement officer or
9 retired law enforcement officer under Article 12D of Chapter 143 of the General Statutes shall
10 not be impacted by any work performed between September 25, 2024, and the time that
11 subsection (a) of this section expires, provided that work performed is needed due to the state of
12 emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts, as
13 documented by the employing unit or agency.

14 **SECTION 12.1.(g)** Subsection (a) of this section expires when the statewide
15 declaration of emergency issued by the Governor in Executive Order No. 315, concurred to by
16 the Council of State and as extended pursuant to this act and any other enactment of a general
17 law, expires.

18 **RELIEF FROM TEMPORARY EMPLOYMENT RESTRICTIONS**

19 **SECTION 12.2.** Effective October 1, 2024, notwithstanding G.S. 126-6.3(a1),
20 temporary employees who are working through Temporary Solutions to support disaster recovery
21 response efforts are exempt from the mandatory separation requirement for the duration of the
22 state of emergency related to Hurricane Helene or associated Hurricane Helene recovery efforts,
23 as certified to the Office of State Human Resources by the employing agency. The provisions of
24 G.S. 126-6.3(a4) contrary to this section will not apply and these employees may comply with
25 the mandatory separation requirement within six months after the cessation of the state of
26 emergency.
27

28 **PART XIII. TAX**

29 **INTEREST WAIVER FOR CERTAIN TAXES AND EXTENSION TO FILE** 30 **PARTNERSHIP AND S CORPORATION ELECTION**

31 **SECTION 13.1.(a)** Interest Waiver for Certain State Taxes. – Notwithstanding
32 G.S. 105-241.21(b), the Secretary of Revenue shall waive the accrual of interest from September
33 25, 2024, through May 1, 2025, on an underpayment of tax imposed on a franchise, corporate
34 income, or individual income tax return, including a partnership and estate and trust tax return,
35 due on September 25, 2024, through May 1, 2025, for a taxpayer that resides or is located in a
36 county identified in Section 4(b) of this act. The relief from accrual of interest includes interest
37 imposed pursuant to G.S. 105-163.15 and G.S. 105-163.41 for underpayment of estimated
38 income tax.
39

40 **SECTION 13.1.(b)** Sales and Use Tax Interest Waiver. – Notwithstanding
41 G.S. 105-241.21(b), the Secretary shall waive the accrual of interest as described in this
42 subsection for an underpayment of State, local, or transit sales and use taxes by a taxpayer whose
43 principal place of business is located in a county described in Section 4(b) of this act:

- 44 (1) For an underpayment of tax due on a quarterly return for the third calendar
45 quarter of 2024, the amount of interest accrued from October 31, 2024,
46 through November 30, 2024, so long as the payment is made on or before
47 November 30, 2024.
- 48 (2) For an underpayment of tax due on a monthly return for September 2024, the
49 amount of interest accrued from October 20, 2024, through November 20,
50 2024, so long as the payment is made on or before November 20, 2024.
51

- 1 (3) For an underpayment of tax due on a monthly return for October 2024, the
2 amount of interest accrued from November 20, 2024, through December 20,
3 2024, so long as the payment is made on or before December 20, 2024.

4 **SECTION 13.1.(c) Withholding Taxes Interest Waiver.** – Notwithstanding
5 G.S. 105-241.21(b) and excluding taxpayers under G.S. 105-163.6(d), the Secretary of Revenue
6 shall waive the accrual of interest as described in this subsection for an underpayment of withheld
7 taxes by a taxpayer located in a county described in Section 4(b) of this act:

- 8 (1) For an underpayment of tax due on a quarterly return for the third calendar
9 quarter of 2024, the amount of interest accrued from October 31, 2024,
10 through November 30, 2024, so long as the payment is made on or before
11 November 30, 2024.

- 12 (2) For an underpayment of tax due on a monthly return for September 2024, the
13 amount of interest accrued from October 15, 2024, through November 15,
14 2024, so long as the payment is made on or before November 15, 2024.

- 15 (3) For an underpayment of tax due on a monthly return for October 2024, the
16 amount of interest accrued from November 15, 2024, through December 15,
17 2024, so long as the payment is made on or before December 15, 2024.

18 **SECTION 13.1.(d) Taxed Partnership and S Corporation Election.** – The election
19 under G.S. 105-154.1 for partnerships or G.S. 105-131.1A for S Corporations for tax year 2023
20 will be considered timely on an annual return due after September 25, 2024, and before May 1,
21 2025, if the election is made on a return filed on or before May 1, 2025.

22 23 **PART XIV. JUSTICE AND PUBLIC SAFETY**

24 25 **IMPLEMENT TEMPORARY EXTENSION ON WHEN POST-RELEASE** 26 **SUPERVISION AND PAROLE PRELIMINARY VIOLATION HEARINGS MUST** 27 **OCCUR**

28 **SECTION 14.1.(a)** Notwithstanding any provision of law to the contrary,
29 preliminary hearings related to violations of post-release supervision:

- 30 (1) May, in addition to options under current law, be held where the supervisee is
31 presently housed.
32 (2) Shall be held within 21 working days of the arrest of a supervisee.

33 **SECTION 14.1.(b)** Notwithstanding any provision of law to the contrary,
34 preliminary hearings related to violations of parole:

- 35 (1) May, in addition to options under current law, be held where the supervisee is
36 presently housed.
37 (2) Shall be held within 21 working days of the arrest of a supervisee.

38 **SECTION 14.1.(c)** This section applies only to the counties identified in Section
39 4(b) of this act.

40 **SECTION 14.1.(d)** This section is effective when it becomes law, applies to
41 preliminary hearings related to violations of post-release supervision or parole occurring on or
42 after that date, and shall expire after 21 days have passed following the expiration or rescission
43 of the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
44 concurred to by the Council of State and as extended pursuant to this act and any other enactment
45 of a general law.

46 47 **PART XV. HEALTH AND HUMAN SERVICES**

48 49 **WAIVE CERTAIN MANDATORY STANDARDS FOR CHILD CARE LICENSURE**

50 **SECTION 15.1.(a)** Notwithstanding G.S. 110-91 or any other law or rule to the
51 contrary, the Department of Health and Human Services may temporarily waive or modify

1 certain mandatory standards for a license for child care facilities in an area impacted by Hurricane
2 Helene.

3 **SECTION 15.1.(b)** The temporary authority granted by subsection (a) of this section
4 applies only to the counties identified in Section 4(b) of this act.

5 **SECTION 15.1.(c)** This section is effective when it becomes law and expires when
6 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
7 concurred to by the Council of State and as extended pursuant to this act and any other enactment
8 of a general law, expires.

9
10 **TEMPORARY AUTHORIZATION TO INCREASE/RELOCATE CERTAIN HOME**
11 **HEMODIALYSIS AND IN-CENTER DIALYSIS STATIONS**

12 **SECTION 15.2.(a)** Notwithstanding G.S. 131E-176(5) or any other law to the
13 contrary, the Department of Health and Human Services, Division of Health Service Regulation,
14 may do one or more of the following in an area impacted by Hurricane Helene to protect the
15 health, safety, and welfare of home hemodialysis and in-center hemodialysis patients:

- 16 (1) Allow a temporary increase in the number of home hemodialysis training
17 stations in an existing kidney disease treatment center, including a
18 freestanding dialysis unit.
19 (2) Allow a temporary increase in the number of dialysis stations in an existing
20 kidney disease treatment center, including a freestanding dialysis unit.
21 (3) Allow the temporary relocation of dialysis stations in an existing kidney
22 disease treatment center, including a freestanding dialysis unit, to a separate
23 physical space or setting.

24 **SECTION 15.2.(b)** The temporary authority granted by subsection (a) of this section
25 applies only to the counties identified in Section 4(b) of this act.

26 **SECTION 15.2.(c)** This section is effective when it becomes law and expires when
27 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
28 concurred to by the Council of State and as extended pursuant to this act and any other enactment
29 of a general law, expires.

30
31 **TEMPORARY AUTHORIZATION TO EXTEND PROVISIONAL LICENSES FOR**
32 **ADULT CARE HOMES AND FAMILY CARE HOMES**

33 **SECTION 15.3.(a)** Notwithstanding G.S. 131D-2.7(a) or any other law to the
34 contrary, the Department of Health and Human Services, Division of Health Service Regulation,
35 may extend a provisional license issued to an adult care home or a family care home located in
36 an area impacted by Hurricane Helene if the provisional license is due to expire within the
37 six-month period commencing September 25, 2024, and ending March 25, 2025. The period of
38 extension shall not exceed 60 days from the expiration date of the provisional license. As used
39 in this section, the terms "adult care home" and "family care home" are as defined in
40 G.S. 131D-2.1.

41 **SECTION 15.3.(b)** The temporary authority granted by subsection (a) of this section
42 applies only to the counties identified in Section 4(b) of this act.

43 **SECTION 15.3.(c)** This section is effective when it becomes law and expires when
44 the statewide declaration of emergency issued by the Governor in Executive Order No. 315,
45 concurred to by the Council of State and as extended pursuant to this act and any other enactment
46 of a general law, expires.

47
48 **PART XVI. GENERAL GOVERNMENT**
49

1 **EXTEND GRACE PERIOD FOR CORPORATIONS, NONPROFITS, AND LLCs IN**
2 **FEMA-DESIGNATED COUNTIES TO CORRECT GROUNDS FOR**
3 **ADMINISTRATIVE DISSOLUTION**

4 **SECTION 16.1.** Notwithstanding the provisions of G.S. 55-14-21(b), 55A-14-21(b),
5 and 57D-6-06(b), any corporation, nonprofit, or LLC in a county designated by FEMA for
6 individual assistance, including the Eastern Band of Cherokee Indians, shall have until 12:01
7 A.M. on March 1, 2025, to correct each ground for dissolution or demonstrate to the reasonable
8 satisfaction of the Secretary of State that each ground determined by the Secretary of State does
9 not exist.

10
11 **CONSTRUCTION FEE MORATORIUM**

12 **SECTION 16.2.(a)** Notwithstanding any other provision of law, for any single
13 commercial or residential project, the Department of Insurance, counties, and cities shall not
14 impose any fee associated with a permit, inspection, or certificate of occupancy required by law
15 for construction, reconstruction, alteration, repair, movement to another site, removal, or
16 demolition of a manufactured home, building, dwelling, or structure damaged as a direct result
17 of Hurricane Helene.

18 **SECTION 16.2.(b)** The moratorium provided in subsection (a) of this section applies
19 in North Carolina counties designated under a major disaster declaration by the President of the
20 United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene. A person is
21 allowed a refund of any fee assessed and collected that is subject to the moratorium imposed by
22 this section. The Department of Insurance, counties, and cities shall post a notice of the
23 availability of a refund on their websites.

24 **SECTION 16.2.(c)** This section is effective when it becomes law and applies to
25 applications for issuance of a permit dated on or after September 26, 2024. This section expires
26 December 31, 2024.

27
28 **PART XVII. MISCELLANEOUS**

29
30 **LEGISLATIVE REVIEW OF FEDERAL FUNDING AND REMAINING UNMET**
31 **NEEDS**

32 **SECTION 17.1.** It is the intent of the General Assembly to review the funds
33 appropriated by Congress for disaster relief and to consider actions needed to address any
34 remaining unmet needs. It is also the intent of the General Assembly to review the adequacy of
35 the measures funded by this act at that time.

36
37 **INVOLVEMENT OF HISTORICALLY UNDERUTILIZED BUSINESSES**

38 **SECTION 17.2.** It is the intent of the General Assembly that, during this time of
39 rebuilding and relief efforts, each State agency should strive to acquire goods and services from
40 historically underutilized business vendors, whether directly as principal contractors or indirectly
41 as subcontractors or otherwise.

42
43 **EACH APPROPRIATION AND ALLOCATION IS MAXIMUM AND CONDITIONAL**

44 **SECTION 17.3.** The appropriations and allocations made in this act are for
45 maximum amounts necessary to implement this act. Savings shall be effected where the total
46 amounts appropriated or allocated are not required to implement this act.

47
48 **AUTHORITY TO ESTABLISH TIME-LIMITED POSITIONS TO IMPLEMENT THIS**
49 **ACT**

1 **SECTION 17.4.** The Governor may establish part-time and full-time personnel
2 positions to implement this act. Positions established under this section are time-limited and
3 exempt from the State Human Resources Act.
4

5 **EFFECTIVE DATE**

6 **SECTION 17.5.** Except as otherwise provided, this act is effective when it becomes
7 law.