

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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**HOUSE BILL 47**

**PROPOSED COMMITTEE SUBSTITUTE H47-CSNBa-1 [v.4]**

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Short Title: Disaster Recovery Act of 2025 - Part I.

(Public)

Sponsors:

Referred to:

ERROR DETECTING INTRODUCTION DATE

1 A BILL TO BE ENTITLED

2 AN ACT TO PROVIDE ADDITIONAL APPROPRIATIONS AND EXTEND REGULATORY  
3 FLEXIBILITY FOR COMMUNITIES AND CITIZENS IMPACTED BY HURRICANE  
4 HELENE.

5 The General Assembly of North Carolina enacts:

7 **PART I. TITLE AND SCOPE OF ACT**

8 **SECTION 1.1.** Title. – This act shall be known as "The Disaster Recovery Act of  
9 2025 – Part I."

10 **SECTION 1.2.** Maximum Amounts; Effectuate Savings. – The appropriations and  
11 allocations made in this act are for maximum amounts necessary to implement this act. Savings  
12 shall be effected where the total amounts appropriated or allocated are not required to implement  
13 this act.

14 **SECTION 1.3.** Scope. – Unless otherwise provided, Part II of this act applies to the  
15 North Carolina counties in the affected area, as defined in Section 1.4 of this act.

16 **SECTION 1.4.** Definitions. – Unless otherwise provided, the following definitions  
17 apply in this act:

- 18 (1) Affected area. – The counties designated before, on, or after the effective date  
19 of this act under a major disaster declaration by the President of the United  
20 States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene.
- 21 (2) CDBG-DR. – Community Development Block Grant – Disaster Recovery.
- 22 (3) FEMA. – The Federal Emergency Management Agency.
- 23 (4) Helene Fund. – The Hurricane Helene Disaster Recovery Fund established in  
24 Section 4.1 of S.L. 2024-51.
- 25 (5) NCEM. – The Division of Emergency Management of the Department of  
26 Public Safety.
- 27 (6) OSBM. – The Office of State Budget and Management.
- 28 (7) SERDRF. – The State Emergency Response and Disaster Relief Fund  
29 established in G.S. 166A-19.42.

31 **PART II. DISASTER RECOVERY APPROPRIATION, TRANSFER, AND PROGRAMS**

32 **SECTION 2.1.** Transfer. – Notwithstanding G.S. 143C-4-2, the State Controller  
33 shall transfer the sum of two hundred seventy-five million dollars (\$275,000,000) from the  
34 SERDRF to the Helene Fund.



1                   **SECTION 2.2.** Appropriation. – There is appropriated from the Helene Fund the  
2 sum of five hundred million dollars (\$500,000,000) in nonrecurring funds for the 2025-2026  
3 fiscal year, as follows:

- 4                   (1) One hundred fifty million dollars (\$150,000,000) to the Department of  
5 Commerce, Division of Community Revitalization for the Home  
6 Reconstruction and Repair Program (Program). The Program shall be  
7 CDBG-DR complaint and consistent with the United States Department of  
8 Housing and Urban Development's Universal Notice in 90 FR 1754 to ensure  
9 maximum reimbursement from federal funds when those funds become  
10 available.
- 11                   (2) One hundred fifty million (\$150,000,000) to the Department of Agriculture  
12 and Consumer Services, Division of Soil & Water Conservation for the  
13 following purposes:
  - 14                   a. Natural restoration projects that enable farmers in the affected area to  
15 resume production and protect communities against additional flood  
16 damage. Eligible projects include stream debris removal, streambank  
17 stabilization, stream restoration, cropland restoration, farm road  
18 repair, and reconstruction of best management practices.
  - 19                   b. Cost-share, engineering and technical assistance for eligible projects.  
20 The Department may use these funds across programs to maximize impact  
21 and federal funding.
- 22                   (3) One hundred million dollars (\$100,000,000) to NCEM for the Private Road  
23 and Bridge Repair and Replacement Program in accordance with Section 2.3  
24 of this act.
- 25                   (4) Sixty million dollars (\$60,000,000) to OSBM to allocate for the repair and  
26 renovation of State facilities damaged by Hurricane Helene, including repairs  
27 to State parks, State forests, health care facilities, and other facilities that  
28 suffered damage. These funds shall also be used to repair the two State  
29 correctional institutions in western North Carolina that closed due to damage  
30 from Hurricane Helene. Federal funds shall be used to complete these projects  
31 where possible.
- 32                   (5) Twenty million dollars (\$20,000,000) to OSBM to distribute to State agencies  
33 and units of local government for debris removal unmet needs. The Governor's  
34 Recovery Office for Western North Carolina (GROW-NC) and NCEM shall  
35 assist OSBM in coordinating the debris removal with relevant State agencies  
36 and local stakeholders. OSBM shall prioritize using these funds to address  
37 identified gaps in debris cleanup not met by other federal and State programs.
- 38                   (6) Ten million dollars (\$10,000,000) to NCEM to provide grants to Volunteer  
39 Organizations Active in Disaster (VOADs) assisting with disaster response  
40 and recovery efforts in the affected area.
- 41                   (7) Ten million dollars (\$10,000,000) to the Office of the State Fire Marshal to  
42 disburse as grants to small and volunteer fire departments in the affected area  
43 to cover expenses incurred due to Hurricane Helene, and to purchase  
44 equipment or make capital improvements to assist with readiness for future  
45 emergency response.

46                   **SECTION 2.3.(a) Private Road and Bridge Repair and Replacement Program.** – The

47 Private Road and Bridge Repair and Replacement Program (Program) is established within  
48 NCEM to disburse grants for the repair and replacement of private roads and bridges damaged  
49 or destroyed by Hurricane Helene. NCEM shall consult with the Department of Transportation  
50 in administering the Program and shall develop criteria and an application process to select  
51 private roads and bridges eligible for repair or replacement consistent with this subsection.

1 NCEM shall prioritize applications for the repair and replacement of private roads or bridges that  
2 provide the sole option for ingress and egress for (i) emergency services to a residential property  
3 that is occupied by the owner for more than six months of the calendar year, (ii) multiple  
4 residential homes, or (iii) recreation or commercial facilities. These funds may also be used to  
5 provide technical support and assistance for individuals and local governments to comply with  
6 no-rise certification requirements required by FEMA under the National Flood Insurance  
7 Program.

8 **SECTION 2.3.(b) Federal Funding.** – If federal assistance or alternative funds is  
9 available for the same purposes in subsection (a) of this section, the Division shall not duplicate  
10 efforts or benefits and take all reasonable steps to obtain that federal assistance or alternative  
11 funds prior to obligating funds for the Program with State funds.

12 **SECTION 2.3.(c) Reporting Requirement.** – The Division shall annually report to  
13 the Joint Legislative Emergency Management Oversight Committee and the Fiscal Research  
14 Division beginning on June 30, 2025, and ending on June 30, 2029, on the Program. The report  
15 shall include, at a minimum, all of the following:

- 16 (1) The criteria used for awarding funds.
- 17 (2) The locations of any roads or bridges replaced.
- 18 (3) The average grant amount requested and disbursed.
- 19 (4) The number of projects requested, declined, and funded.
- 20 (5) The identification of unmet needs remaining at the end of each fiscal year for  
21 private road or bridge repair or replacement.

### 23 **PART III. EXTENSION OF STATE OF EMERGENCY**

24 **SECTION 3.1** In accordance with G.S. 166A-19.20(c)(2), the statewide declaration  
25 of emergency issued by the Governor in Executive Order No 315, concurred to by the Council  
26 of State, and extended by Section 3.1 of S.L. 2024-51, is further extended until June 1, 2025.

### 28 **PART IV. REVERSION, LIMITATION, AND REPORTING OF FUNDS**

29 **SECTION 4.1.(a) Reversion.** – Except as otherwise provided, funds appropriated  
30 under Part II of this act shall revert to the Savings Reserve if not expended or encumbered by  
31 June 30, 2030.

32 **SECTION 4.1.(b) Receipt of Allocations.** – A recipient of State funds under this act  
33 shall use best efforts and take all reasonable steps to obtain alternative funds that cover the losses  
34 or needs for which the State funds are provided, including funds from insurance policies in effect  
35 and available federal aid. State funds paid under this act are declared to be excess over funds  
36 received by a recipient from the settlement of a claim for loss or damage covered under the  
37 recipient's applicable insurance policy in effect or federal aid. Where a recipient is an institution  
38 of higher education or a non-State entity, the requirement regarding alternative funds, and the  
39 calculation of alternative funds received, under this subsection includes seeking private donations  
40 to help cover the losses or needs for which State funds are provided. An agency awarding State  
41 funds for disaster relief shall include a notice to the recipient of the requirements of this  
42 subsection.

43 **SECTION 4.1.(c) Remittance of Funds.** – If a recipient obtains alternative funds  
44 pursuant to subsection (b) of this section, the recipient shall remit the funds to the State agency  
45 from which the State funds were received. A recipient is not required to remit any amount in  
46 excess of the State funds provided to the recipient under this act. The State agency shall transfer  
47 these funds to the Savings Reserve.

48 **SECTION 4.1.(d) Contract Requirements.** – Any contract or other instrument  
49 entered into by a recipient for receipt of funds under this act shall include the requirements set  
50 forth in subsections (b) and (c) of this section.

1                   **SECTION 4.1.(e)** Limitation on Powers of Governor. – The Governor may not use  
2 the funds described in this act to make budget adjustments under G.S. 143C-6-4 or to make  
3 reallocations under G.S. 166A-19.40(c). Nothing in this act shall be construed to prohibit the  
4 Governor from exercising the Governor's authority under these statutes with respect to funds  
5 other than those described in this act.

6                   **SECTION 4.1.(f)** Directive. – The Governor shall ensure that funds allocated in this  
7 act are expended in a manner that does not adversely affect any person's or entity's eligibility for  
8 federal funds that are made available, or that are anticipated to be made available, as a result of  
9 natural disasters. The Governor shall also, to the extent practicable, avoid using State funds to  
10 cover costs that will be, or likely will be, covered by federal funds.

11                   **SECTION 4.1.(g)** Allocation Reporting Requirements. – Beginning May 15, 2025,  
12 for the previous quarter, OSBM shall report to the chairs of the House of Representatives and  
13 Senate Appropriations Committees and to the Fiscal Research Division of the General Assembly  
14 on the implementation of this act on a quarterly basis until the end of the quarter in which all  
15 funds are expended and shall also provide any additional reports or information requested by the  
16 Fiscal Research Division. In reporting on the use of State disaster recovery and assistance funds  
17 expended pursuant to this act and federal funds received by State agencies for disaster relief and  
18 recovery efforts, OSBM shall include, regardless of which State agency, federal agency, or  
19 non-State entity that administers the funds, all of the following for each program:

- 20                   (1) The purpose of the program.
- 21                   (2) The responsible department or agency.
- 22                   (3) Current, year-to-date, and total cumulative funds appropriated, received from  
23 non-State sources, expended, encumbered, and obligated by program and by  
24 source of funds.
- 25                   (4) A summary of activities.
- 26                   (5) The total program spending by county, where practicable.
- 27                   (6) Funds returned to the Savings Reserve pursuant to subsection (c) of this  
28 section, as applicable.

29                   Non-State entities that administer or receive any funds appropriated in this act shall  
30 assist and fully cooperate with OSBM in meeting OSBM's obligations under this section.

31                   **SECTION 4.1.(h)** Relationship to Previous Reporting Requirements. – Subsection  
32 (g) of this section supercedes Section 7.1(h) of S.L. 2024-51, as amended by Section 5.6 of S.L.  
33 2024-53, and Section 3.1(g) of S.L. 2024-53 (collectively, the prior reporting requirements). In  
34 cases of any conflict between the prior reporting requirements and subsection (g) of this section,  
35 this section shall prevail.

## 36                   **PART V. DISASTER RECOVERY REGULATORY AND PROCUREMENT 37 FLEXIBILITY**

### 40                   **EXTENSION OF EXPIRATION DATES FOR CERTAIN REGULATORY 41 FLEXIBILITY PROVISIONS**

42                   **SECTION 5.** The following provisions of S.L. 2024-51 (Helene I), S.L. 2024-53  
43 (Helene II), and S.L. 2024-57 (Helene III) providing regulatory flexibility and (i) expiring,  
44 ending, or otherwise limited in applicability, on any day of March 2025 or (ii) for which no  
45 expiration date is specified are, notwithstanding any provisions of those acts to the contrary,  
46 extended to the date of expiration of the statewide declaration of emergency issued by the  
47 Governor in Executive Order No. 315, concurred to by the Council of State, and extended  
48 pursuant to S.L. 2024-51, this act, or any other enactment of a general law:

- 49                   (1) Helene I:
  - 50                   a. Section 10.1 ("Funding Flexibility for Drinking Water and Wastewater  
51 Infrastructure Projects").

- b. Section 10.3 ("Storm Debris Open Burning Regulatory Relief").
- c. Section 16.1 ("Extend Grace Period for Corporations, Nonprofits, and LLCs in FEMA-designated Counties to Correct Grounds for Administrative Dissolution").

(2) Helene II:

- a. Section 4E.1 ("Authorize State Agencies to Exercise Regulatory Flexibility for Employment-Related Certifications").
- b. Section 4E.3 ("Flexibility for Building Permit Issuance/Inspections in Disaster Area").

(3) Helene III:

- a. Section 1C.1 ("Extension of MH/DD/SUS Facility Licenses and License Renewal Deadlines").
- b. Section 1C.3 ("Extension of Registrations and Registration Renewal Deadlines for Multiunit Assisted Housing with Services Facilities").
- c. Section 1C.4 ("Extension of Adult Care Home and Family Care Home Licenses and License Renewal Deadlines")
- d. Section 1C.5 ("Extension of Deadline for Renewal of Adult Care Home Administrator Certification and Completion of Continuing Education Requirements").
- e. Section 1D.6 ("Temporary Pump and Haul Wastewater Permits").
- f. Section 1D.7 ("Authorize Waiver of Submission and Approval of Sedimentation Pollution Control Plan Prior to Initiation of Land-Disturbing Activities in Certain Circumstances").
- g. Section 1D.8 ("Tree Ordinance Restriction in Disaster Declared Counties")
- h. Section 1E.1 ("Extend Certain Concealed Handgun Permits").
- i. Section 1F.4 ("Authorize the Office of the State Fire Marshal to Promulgate Rules for Temporary Manufactured and Modular Dwellings").

## PART VI. MISCELLANEOUS PROVISIONS

## EFFECT OF HEADINGS

**SECTION 6.1.** The headings to the parts and sections of this act are a convenience to the reader and are for reference only. The headings do not expand, limit, or define the text of this act, except for effective dates referring to a part or section.

## SEVERABILITY CLAUSE

**SECTION 6.2.** If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part so declared to be unconstitutional or invalid.

## **EFFECTIVE DATE**

**SECTION 6.3** Except as otherwise provided, this act is effective when it becomes law.