

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

**SESSION LAW 2019-241  
SENATE BILL 433**

AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES AND TO REMOVE CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE, AS RECOMMENDED BY THE DEPARTMENT; TO AMEND CERTAIN REPORTS OF THE NORTH CAROLINA POLICY COLLABORATORY TO THE GENERAL ASSEMBLY; TO CLARIFY CERTAIN APPROPRIATIONS IN THE 2018 HURRICANE FLORENCE DISASTER RECOVERY ACT; TO CORRECT AN EFFECTIVE DATE; TO REPEAL AND REPLACE AN ACT PROVIDING FOR EMERGENCY OPERATING FUNDS FOR UTILITIES; TO ADJUST FOR INFLATION THE THRESHOLD FOR DEPARTMENT OF ADMINISTRATION APPROVAL OF STATE LEASES; AND TO CLARIFY AND AMEND THE SEPTIC TANK SITE SUITABILITY DETERMINATION PROCESS.

The General Assembly of North Carolina enacts:

**ZOOLOGICAL PARK STATUTORY AUTHORITY**

**SECTION 1.(a)** The title of Part 39 of Article 2 of Chapter 143B of the General Statutes reads as rewritten:

"Part 39. North Carolina Zoological ~~Park Council~~.Park."

**SECTION 1.(b)** Part 39 of Article 2 of Chapter 143B of the General Statutes, as amended by subsection (a) of this section, is amended by adding a new section to read:

**"§ 143B-135.204. Powers and duties of the Secretary.**

(a) Operation of Park. – The Secretary of the Department of Natural and Cultural Resources may adopt rules governing the operation of the Zoological Park, including rules regulating its use and enjoyment by the public.

(b) Park Property. – The Secretary of the Department of Natural and Cultural Resources may acquire, dispose of, and develop Zoological Park property, both real and personal. A sale, lease, or trade under this subsection must be conducted in accordance with generally accepted practices for zoos and aquariums that are accredited by the American Association of Zoos and Aquariums."

**REDUCE CERTAIN CLASS 3 MISDEMEANORS TO INFRACTIONS AT STATE PARKS**

**SECTION 2.(a)** G.S. 143B-135.16(a) reads as rewritten:

**"§ 143B-135.16. Control over State parks; operation of public service facilities; concessions to private concerns; authority to charge fees and adopt rules.**

(a) The Department shall make reasonable rules governing the use by the public of State parks and State lakes under its charge. These rules shall be posted in conspicuous places on and adjacent to the properties of the State and at the courthouse of the county or counties in which the properties are located. A violation of these rules is punishable as a Class 3 misdemeanor. Notwithstanding any other provision of law, violations of rules regarding the following shall be punishable as an infraction and carry a penalty of not more than twenty-five dollars (\$25.00):

(1) Parking a motor vehicle outside of a designated area.



- (2) Persons using skateboards, rollerblades, roller skates, or similar devices in prohibited areas.
- (3) Persons bathing animals or washing clothes or motor vehicles.
- (4) Persons bathing, wading, surfing, diving, scuba diving, or swimming in undesignated areas.
- (5) Persons carrying or depositing glass, crockery, or any metallic substance on a swimming area or beach.
- (6) Persons using boats, rafts, surfboards, personal watercraft, canoes, or other vessels in designated swimming areas.
- (7) Persons fishing in nondesignated areas.

A person found responsible for a violation carrying a penalty of an infraction of this section shall not be assessed court costs for the infraction."

**SECTION 2.(b)** This section becomes effective December 1, 2019, and applies to offenses committed on or after that date.

### **CLARIFY EMPLOYMENT STATUS FOR CERTAIN MUSEUM OF ART EMPLOYEES**

**SECTION 3.** G.S. 140-5.15 reads as rewritten:

**"§ 140-5.15. Director of Museum of Art; appointment; dismissal; powers and duties; staff.**

...  
 (e) The Director, associate directors, and curators shall be exempt from the provisions of the North Carolina Human Resources Act. ~~The Board of Trustees shall adopt, subject to the approval of the Secretary of Natural and Cultural Resources, rules and regulations governing the employment, promotion, demotion, and dismissal of associate directors and curators."~~

### **TECHNICAL CORRECTION**

**SECTION 4.** G.S. 113A-129.3(b) reads as rewritten:

"(b) To the extent feasible, lands and waters within this system shall be dedicated as components of the "State Nature and Historic Preserve" as provided in Article XIV, Section 5, of the Constitution and as nature reserves pursuant to ~~G.S. 113A-164.1 to G.S. 113A-164.11.~~G.S. 143B-135.250 to G.S. 143B-135.270."

### **REMOVAL OF CERTAIN LANDS FROM THE STATE NATURE AND HISTORIC PRESERVE**

**SECTION 5.** G.S. 143-260.10 reads as rewritten:

**"§ 143-260.10. Components of State Nature and Historic Preserve.**

The following are components of the State Nature and Historic Preserve accepted by the North Carolina General Assembly pursuant to G.S. 143-260.8:

- ...
- (2) All lands and waters within the boundaries of William B. Umstead State Park as of May 2, 2017, with the exception of the following tracts. The tracts excluded from the State Nature and Historic Preserve under this subdivision are deleted from the State Parks System in accordance with G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of William B. Umstead State Park or sell and use the proceeds for that purpose. The State of North Carolina may not otherwise sell or exchange this land.
    - a. Tract Number 65, containing 22.93140 acres as shown on a survey prepared by John S. Lawrence (RLS) and Bennie R. Smith (RLS), entitled "Property of The State of North Carolina William B. Umstead State Park", dated January 14, 1977 and filed in the State Property Office, which was removed from the State Nature and Historic

Preserve by Chapter 450, Section 1 of the 1985 Session Laws. ~~The tract excluded from the State Nature and Historic Preserve under this subdivision is deleted from the State Parks System in accordance with G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of William B. Umstead State Park or sell and use the proceeds for that purpose. The State of North Carolina may not otherwise sell or exchange this land.~~

- b. The portion of that certain tract or parcel of property at William B. Umstead State Park in Wake County, described in Deed Book 13337, Page 2379, and containing 0.15 acres as shown on the survey prepared by Robert T. Newcomb (RLS) entitled "Property of Robert J. Demartini," dated August 1981.

...

(12) All lands and waters located within the boundaries of Hanging Rock State Park as of May 2, 2017, with the exception of the following ~~tract:~~ tracts:

- a. The portion of that tract or property at Hanging Rock State Park in Stokes County, Danbury Township, described in Deed Book 360, Page 160, for a 30-foot wide right-of-way beginning approximately 183 feet south of SR 1001 and extending in a southerly direction approximately 1,479 feet to the southwest corner of the Bobby Joe Lankford tract and more particularly shown on a survey entitled, "J. Spot Taylor Heirs Survey, Danbury Township, Stokes County, N.C.", by Grinski Surveying Company, dated June 1985, and filed in the State Property Office. The tract excluded from the State Nature and Historic Preserve under this subdivision is deleted from the State Parks System in accordance with G.S. 143B-135.54.
- b. The portion of that certain tract or parcel of property at Hanging Rock State Park in Stokes County, described in Deed Book 267, Page 159, and containing 1.53 acres as shown on the survey entitled "Plat of Survey for NC Division of Parks and Recreation showing 'Camp Sertoma Tracts'" by C.E. Robertson and Associates, PC, revised April 6, 2016. The tract excluded from the State Nature and Historic Preserve under this subdivision is deleted from the State Parks System in accordance with G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of Hanging Rock State Park or sell and use the proceeds for that purpose. The State of North Carolina may not otherwise sell or exchange this land.

...

(21) All lands and waters within the boundaries of Chimney Rock State Park as of May 2, 2017, with the exception of the following tracts:

- a. The portion of that certain tract or parcel of land at Chimney Rock State Park in Rutherford County being a portion of Parcel 2 as described in Deed Book 933, Page 598, containing 346 square feet and being shown as proposed right-of-way for bridge replacement project B-4258 on U.S. 64 over the Broad River on drawing prepared by Kimley-Horn and Associates for the North Carolina Department of Transportation and revised October 26, 2007, and filed with the State Property Office. The portion of that certain tract or parcel of land at Chimney Rock State Park in Polk County, Cooper Gap Township, Deed Book 393, Page 1402, containing 6.5 acres more or less and

shown on the survey entitled "Plat of Survey for The State of North Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and filed with the State Property Office. The tracts excluded from the State Nature and Historic Preserve under this section are deleted from the State Parks System pursuant to G.S. 143B-135.54. The State of North Carolina may only exchange this land for other land for the expansion of Chimney Rock State Park or sell this land and use the proceeds for that purpose. The State may not otherwise sell or exchange this land.

b. With respect to the communications tower site on Chimney Rock Mountain located on a portion of that certain tract or parcel of land at Chimney Rock State Park in Rutherford County, Chimney Rock Township, described in Deed Book 933, Page 598, the State may provide space at the communications tower site to State public safety, emergency management, local governments in Rutherford County, and public television agencies for the placement of antennas, repeaters, and other communications devices for public communications purposes. State agencies and local governments that are authorized to place communications devices at or near the communications tower site pursuant to this subdivision may also locate at or near the communications tower site communications equipment necessary for the proper operation of the communications devices. The use of the communications tower site pursuant to this subdivision is authorized by the General Assembly as a purpose other than the public purposes specified in Section 5 of Article XIV of the North Carolina Constitution, Article 25B of Chapter 143 of the General Statutes, and Article 2 of Chapter 143B of the General Statutes.

c. The portion of that certain tract or parcel of property at Chimney Rock State Park in Polk County, Cooper Gap Township, described in Deed Book 393, Page 1402, containing 28.84 acres, as shown on the survey entitled "Plat of Survey for The State of North Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and filed with the State Property Office. The property described in this subdivision is deleted from the State Parks System pursuant to G.S. 143B-135.54. The State may only exchange this property for other property for the expansion of Chimney Rock State Park or sell this land and use the proceeds for that purpose. The State shall not otherwise sell or exchange this land.

...."

## **DNCR PARTNERSHIP WITH NONPROFITS TO ESTABLISH SATELLITE MUSEUMS**

**SECTION 6.** G.S. 143B-135.229 reads as rewritten:

**"§ 143B-135.229. North Carolina Museum of Natural Sciences ~~at Whiteville;~~ Sciences' satellite museum-museums.**

(a) The Department of Natural and Cultural Resources shall establish and administer the North Carolina Museum of Natural Sciences at Whiteville in Columbus County as a satellite museum of the North Carolina State Museum of Natural Sciences.

(b) The Department of Natural and Cultural Resources may enter into agreements with nonprofit organizations to establish satellite museums of the North Carolina State Museum of Natural Sciences that are administered by the nonprofit organizations and meet the requirements of G.S. 143B-135.227(d)(1)-(5)."

## **COLLABORATORY/FIREFIGHTING FOAM**

**SECTION 7.(a)** The North Carolina Policy Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall create an inventory of aqueous film-forming foam (AFFF) used or stored by fire departments in North Carolina operated, managed, or overseen by units of local government, including those located at or serving airports. This inventory shall include, at a minimum, the following:

- (1) The name and address of each fire department that owns or otherwise has on the premises of a fire station a firefighting vehicle that carries AFFF or a storage tank or other vessel for AFFF.
- (2) The volume, trade name, and CAS number of AFFF used by each department in 2018 for fighting fires or firefighter training.
- (3) The number of firefighting vehicles carrying AFFF and the volume of AFFF carried by each vehicle.
- (4) Each fire department's annual cost of acquiring AFFF and last known purchases of AFFF.
- (5) The volume, trade name, and CAS number of AFFF stored by each fire department or unit of local government for firefighting use and the portion of these AFFFs that are no longer utilized and could be removed from inventory for disposal.
- (6) Other data deemed relevant by the Collaboratory to establish a statewide inventory of AFFF used for fighting fires or firefighter training.

The Office of the State Fire Marshal of the Department of Insurance and all units of local government shall provide any assistance requested by the Collaboratory to acquire and compile the data required by this section.

**SECTION 7.(b)** The North Carolina Policy Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall develop a proposal for identifying and collecting AFFF that is expired or no longer needed or wanted by each fire department in North Carolina operated, managed, or overseen by units of local government, including those located at or serving airports. This proposal should include recommendations on which State agency or agencies could oversee such a collection effort and cost estimates on this collection, stockpiling, and disposal. The Department of Insurance Office of the State Fire Marshal, the Department of Environmental Quality, the Department of Health and Human Services, and the Department of Public Safety shall provide any assistance requested by the Collaboratory to acquire and compile the data required by this section.

**SECTION 7.(c)** The Collaboratory shall submit an interim report with the results of the studies required by subsections (a) and (b) of this section no later than April 1, 2020, and a final report no later than October 15, 2020, to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Environmental Review Commission.

**SECTION 7.(d)** Section 13.1(g) of S.L. 2018-5 reads as rewritten:

**"SECTION 13.1.(g)** The North Carolina Policy Collaboratory at the University of North Carolina at Chapel Hill (Collaboratory) shall identify faculty expertise, technology, and instrumentation, including mass spectrometers, located within institutions of higher education in the State, including the Universities of North Carolina at Chapel Hill and Wilmington, North Carolina State University, North Carolina A&T State University, Duke University, and other public and private institutions, and coordinate these faculty and resources to conduct nontargeted analysis for PFAS, including GenX, at all public water supply surface water intakes and one public water supply well selected by each municipal water system that operates groundwater wells for public drinking water supplies as identified by the Department of Environmental Quality, to establish a water quality baseline for all sampling sites. The Collaboratory, in consultation with the participating institutions of higher education, shall establish a protocol for the baseline testing required by this subsection, as well as a protocol for periodic retesting of the

municipal intakes and additional public water supply wells. No later than ~~December 1, 2019,~~ October 15, 2020, the Collaboratory shall report the results of such sampling by identifying chemical families detected at each intake to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the Environmental Review Commission, the Department of Environmental Quality, the Department of Health and Human Services, and the United States Environmental Protection Agency."

### **COASTAL BEACH AND DREDGING NEEDS ASSESSMENT FUNDS**

**SECTION 8.** Notwithstanding any provision of the 2018 Hurricane Florence Disaster Recovery Act (S.L. 2018-136) or of the committee report described in Section 6.1 of that act to the contrary, funds appropriated to the Hurricane Florence Disaster Recovery Fund and allocated to the Department of Environmental Quality for a coastal beach and dredging needs assessment may be used for a dredge material management plan to assess any nonfederal disposal area for dredged material in the State.

### **CLARIFY CERTAIN COASTAL STORM DAMAGE MITIGATION FUND MATCH REQUIREMENTS**

**SECTION 9.** Subdivision (8) of Section 1.3 of S.L. 2018-138 reads as rewritten:

"(8) Eighteen million five hundred thousand dollars (\$18,500,000) to the Department of Environmental Quality for the Coastal Storm Damage Mitigation Fund. Notwithstanding G.S. 143-215.73M(c), funds allocated by this subdivision may be used to provide no more than fifty percent (50%) of the ~~nonfederal share for a federally funded eligible project, and no more than fifty percent (50%) of the total cost of an eligible project that is not federally funded.~~ total cost of an eligible project. Notwithstanding G.S. 143C-4-5, the Department shall disburse the funds for any eligible project in a single payment upon the execution of a grant contract between the State and a unit of local government. If an eligible project receiving State funding under this section subsequently receives federal funding, the unit of local government designated as the grantee under the grant contract shall revert to the Office of State Budget and Management the portion of State funds that have been reimbursed by the federal funding. For purposes of this subdivision, an "eligible project" is a project that mitigates or remediates coastal storm damage to the ocean beaches and dune systems of the State."

### **CLARIFY COASTAL STORM DAMAGE MITIGATION FUNDING**

**SECTION 9.5.** Notwithstanding any provision of Section 3.1 of S.L. 2018-134 to the contrary, funds appropriated to the Hurricane Florence Disaster Recovery Fund and allocated to the Department of Environmental Quality for the Coastal Storm Damage Mitigation Fund (Fund) by any act of the General Assembly may be used for coastal storm damage in any county designated under a major disaster declaration by the President of the United States under the Stafford Act (P.L. 93-288) with respect to any natural disaster occurring after January 1, 2016, causing damage to the ocean beaches and dune systems in that county. No recipient of funds described by this section shall be required to determine which major disaster caused particular coastal storm damage.

### **EFFECTIVE DATE CORRECTION**

**SECTION 10.(a)** If Senate Bill 553, 2019 Regular Session, becomes law, then Section 12(b) of that act reads as rewritten:

"**SECTION 12.(b)** This section becomes effective ~~July 1, 2019,~~ December 1, 2019, and applies to applications for loans or grants from the Wastewater Reserve or the Drinking Water Reserve received by the Division of Water Infrastructure on or after that date."

**SECTION 10.(b)** This section becomes effective July 1, 2019.

### **EMERGENCY OPERATING FUNDS FOR UTILITIES**

**SECTION 11.(a)** S.L. 2019-226 is repealed. This subsection does not affect the rights, obligations, or liabilities of the State or a unit of local government arising under S.L. 2019-226 as it existed prior to repeal.

**SECTION 11.(b)** Notwithstanding G.S. 159G-33(a) and G.S. 159B-34(a), during the 2019-2020 fiscal year, the Department may use funds in the Wastewater Reserve or the Drinking Water Reserve to provide grants to the Local Government Commission to cover operating deficits in an enterprise fund accounting for a public water or wastewater system. For purposes of this section, "operating deficit" is defined as a shortfall in an enterprise fund accounting for a public water or wastewater system between revenues plus available reserves and operating expenditures, including capital expenditures, necessary to maintain operations.

Funding provided by this section is available only under either of the following circumstances:

- (1) The Local Government Commission has exercised its powers under G.S. 159-181 to assume full or partial control over the affairs of the public water or wastewater system or of the unit of local government or public authority that owns or operates the public water or wastewater system.
- (2) The charter of the unit of local government or public authority that owns or operates the public water or wastewater system has been suspended or revoked by local act.

**SECTION 11.(c)** Funds for the purposes described in subsection (b) of this section may not exceed one million dollars (\$1,000,000) in each fiscal year. An application for a grant under this section for an emergency grant for operating deficits must be filed by the Local Government Commission on behalf of the local government unit. Applications for emergency grants for operating deficits are not subject to G.S. 159G-37(b).

**SECTION 11.(d)** If Senate Bill 553, 2019 Regular Session; House Bill 966, 2019 Regular Session; or legislation substantially similar to Section 12.15 of House Bill 966, 2019 Regular Session, becomes law, then G.S. 159G-20 is amended by adding a new subdivision to read:

"(14a) Operating deficit. – A shortfall in an enterprise fund accounting for a public water or wastewater system between revenues plus available reserves and operating expenditures, including capital expenditures, necessary to maintain operations."

**SECTION 11.(e)** If Senate Bill 553, 2019 Regular Session; House Bill 966, 2019 Regular Session; or legislation substantially similar to Section 12.15 of House Bill 966, 2019 Regular Session, becomes law, then G.S. 159G-32(d) is amended by adding a new subdivision to read:

"(6) Provide emergency grants for operating deficits for certain local government units as set forth in G.S. 159G-34.5(a)(4)."

**SECTION 11.(f)** If Senate Bill 553, 2019 Regular Session; House Bill 966, 2019 Regular Session; or legislation substantially similar to Section 12.15 of House Bill 966, 2019 Regular Session, becomes law, then G.S. 159G-34.5(a) is amended by adding a new subdivision to read:

"(4) Emergency grant for operating deficit. – An emergency grant for operating deficits is available for distressed units if the Local Government Commission has exercised its powers under G.S. 159-181 to assume full or partial control

over the affairs of the public water or wastewater system or of the unit of local government or public authority that owns or operates the public water or wastewater system."

**SECTION 11.(g)** If Senate Bill 553, 2019 Regular Session; House Bill 966, 2019 Regular Session; or legislation substantially similar to Section 12.15 of House Bill 966, 2019 Regular Session, becomes law, then G.S. 159G-36(d) reads as rewritten:

"(d) Viable Utility Reserve Recipient Limit. – Grants under the Viable Utility Reserve are limited as follows:

- (1) Grants for the purposes set forth in subdivisions (1) through (5) of G.S. 159-32(d) shall not exceed fifteen million dollars (\$15,000,000) to any single local government unit. Where two or more local government units are merging into a single utility, the total grant awarded shall not exceed thirty million dollars (\$30,000,000).
- (2) Grants for the purpose set forth in subdivision (6) of G.S. 159-32(d) to a local government unit shall not (i) exceed seven hundred fifty thousand dollars (\$750,000) in any fiscal year and (ii) be awarded for more than three consecutive fiscal years."

**SECTION 11.(h)** If Senate Bill 553, 2019 Regular Session; House Bill 966, 2019 Regular Session; or legislation substantially similar to Section 12.15 of House Bill 966, 2019 Regular Session, becomes law, then G.S. 159G-31 is amended by adding a new subsection to read:

"(e) The Local Government Commission is eligible to apply on behalf of a local government unit for an emergency grant for operating deficits from the Viable Utility Reserve."

**SECTION 11.(i)** This section is effective when it becomes law. Subsections (b) and (c) of this section expire on the earlier of (i) the date that House Bill 966, 2019 Regular Session, becomes law or (ii) June 30, 2020.

## **ADJUST FOR INFLATION THE THRESHOLD FOR DEPARTMENT OF ADMINISTRATION APPROVAL OF STATE LEASES**

**SECTION 12.** G.S. 146-25.1 reads as rewritten:

**"§ 146-25.1. Proposals to be secured for leases.**

(a) If pursuant to G.S. 146-25, the Department of Administration determines that it is in the best interest of the State to lease or rent land and the rental is estimated to exceed ~~twenty five thousand dollars (\$25,000)~~ forty thousand dollars (\$40,000) per year or the term will exceed three years, the Department shall require the State agency desiring to rent land to prepare and submit for its approval a set of specifications for its needs. Upon approval of specifications, the Department shall prepare a public advertisement. The State agency shall place such advertisement in a newspaper of general circulation in the county for proposals from prospective lessors of said land and shall make such other distribution thereof as the Department directs. The advertisement shall be run for at least five consecutive days, and shall provide that proposals shall be received for at least seven days from the date of the last advertisement in the State Property Office of the Department. The provisions of this section do not apply to property owned by governmental agencies and leased to other governmental agencies.

(b) The Department may negotiate with the prospective lessors for leasing of the needed land, taking into account not only the rental offered, but the type of land, the location, its suitability for the purposes, services offered by the lessor, and all other relevant factors. In the event either no proposal or no acceptable proposal is received after advertising in accordance with subsection (a) of this section, the Department may negotiate in the open market for leasing of the needed land.

(c) The Department of Administration shall present the proposed transaction to the Council of State for its consideration as provided by this Article. In the event the lowest rental



proposed is not presented to the Council of State, that body may require a statement of justification, and may examine all proposals."

## **CLARIFY AND AMEND SEPTIC TANK SITE SUITABILITY DETERMINATION PROCESS**

**SECTION 13.** If Senate Bill 553 of the 2019 Regular Session of the 2019 General Assembly becomes law, then G.S. 130A-335 reads as rewritten:

**"§ 130A-335. Wastewater collection, treatment and disposal; rules.**

...

(j) Notwithstanding any other provision of law, a local health department may determine site suitability for a ground absorption sewage treatment and disposal system under rules adopted by the ~~Commission~~ Commission, or site suitability may be determined pursuant to G.S. 130A-336.1 where all of the following are indicated if substantiating data indicates the system can be expected to function satisfactorily and all of the following apply:

- (1) The system can be installed so that the effluent will be nonpathogenic, noninfectious, nontoxic, and nonhazardous.
- (2) The effluent will not contaminate groundwater or surface water.
- (3) The effluent will not be exposed on the ground surface or be discharged to surface waters where it could come into contact with people, animals, or vectors.

(k) A registered environmental health specialist employed by, or under contract with, a local health department who determines site suitability in accordance with subsection (j) of this section shall not be considered an authorized agent of the Department. The Department shall have no liability for wastewater systems designed, constructed, and installed pursuant to subsection (j) of this section."

## **EFFECTIVE DATE**

**SECTION 14.** Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 31<sup>st</sup> day of October, 2019.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 2:16 p.m. this 6<sup>th</sup> day of November, 2019