

Disaster Relief

See full summary documents for additional detail

Disaster Recovery Appropriation, Transfer, and Programs – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Subpart II-A

Subpart II-A of S.L. 2025-2 (House Bill 47) requires the State Controller to transfer the sum of \$299 million dollars from the State Emergency Response and Disaster Relief Fund to the Helene Fund, and appropriates \$524 million from that fund as follows:

- \$120 million to the Department of Commerce, Division of Community Revitalization for the Home Reconstruction and Repair Program.
- \$200 million to the Department of Agriculture and Consumer Services for the Agricultural Disaster Crop Loss Program.
- \$100 million to the Division of Emergency Management of the Department of Public Safety for the Private Road and Bridges Repair and Replacement Program.
- \$55 million dollars for the Small Business Infrastructure Grant Program.
- \$20 million to the Office of State Budget and Management to distribute to State agencies and units of local government for debris and sedimentation removal unmet needs.
- \$10 million to the Office of the State Fire Marshal to disburse grants to small and volunteer fire departments in counties in the affected area that qualify for Individual and Public Assistance Categories C-G to cover expenses incurred due to Hurricane Helene, to purchase equipment, or to make capital improvements to assist with readiness for future emergency response.
- \$10 million to the Division of Emergency Management of the Department of Public Safety to disburse grants to any member organization of Volunteer Organizations Active in Disaster (VOADs) actively involved in actual and ongoing repair and reconstruction projects.
- \$4 million to the Department of Commerce for the nonprofit corporation with which the Department contracts for targeted media campaigns to encourage both in-State and out-of-state tourists to return to areas impacted by Hurricane Helene.
- \$9 million to the Department of Public Instruction for the School Extension Learning Recovery Program.

This subpart also makes various amendments to rental assistance provisions in S.L. 2024-53, The Disaster Recovery Act of 2024 – Part II, to authorize that eligible recipients can receive up to two assistance payments as determined by county departments of social services (previously one payment capped at a U.S. Department of Housing and Urban Development's measure).

This subpart also makes 2024 appropriation adjustments to transfer unused Disaster Supplemental Nutrition Assistance Program appropriations to effectuate the Department of Commerce \$4 million appropriation for targeted media campaigns described above.

The additional rental assistance provision became effective retroactively to October 25, 2024. The appropriations and appropriation adjustment provisions became effective March 19, 2025.

Close Out Operations Provide Emergency Relief – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Subpart II-B

Subpart II-B of S.L. 2025-2 (House Bill 47) does the following:

- Repeals the Office of Recovery and Resiliency's (NCORR) statutory authority effective October 1, 2026.
- Transfers \$121 million from the Savings Reserve, \$96 million from the State Emergency Response and Disaster Relief Fund, and the unexpended amount from the Hurricane Florence Disaster Recovery Fund to NCORR for completion of the homeowner recovery program for Hurricanes Matthew and Florence. Funds revert on October 1, 2026.
- Sets certain benchmarks for NCORR to meet regarding the issuance of notices to proceed and the total amount of unawarded projects by July 1, 2025, excluding withdrawn or ineligible projects, with requirements for NCORR to report on these benchmarks to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division.
- Mandates a monthly reporting requirement, which began August 1, 2025, to continue to oversee NCORR homeowner recovery programs for Hurricanes Matthew and Florence, until NCORR is dissolved on October 1, 2026.
- Changes the State Auditor's reporting requirement of NCORR's use of funds to support homeowner recovery projects under Rebuild NC from quarterly to monthly.

This section became effective March 19, 2025.

Private Road and Bridge Repair and Replacement Program – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Subpart II-C

Subpart II-C of S.L. 2025-2 (House Bill 47) establishes the Private Road and Bridge Repair and Replacement Program (Program) within the Department of Public Safety, Division of Emergency Management (NCEM), to assist with the repair and replacement of private roads and bridges damaged or destroyed by Hurricane Helene. NCEM is directed to consult with the Department of Transportation to administer the Program and develop criteria to prioritize the repair and replacement of private roads and bridges.

If a qualifying road or bridge is owned by a homeowners association (HOA), then NCEM must enter into a cost-share agreement with the HOA, covering no more than 50% of the engineering and construction costs. Any funds that the HOA pays towards the projects must be non-State dollars.

If a private road or bridge is repaired or replaced through the Program, the ownership or responsibility for maintenance or safety of the road or bridge shall not transfer to or be assumed by the State or local government.

NCEM is directed to take all reasonable steps to obtain federal assistance or alternative funds prior to obligating State funds for the Program if such federal assistance or alternative funds are available, and NCEM is directed to not duplicate repair efforts and benefits. Funds appropriated to NCEM for this program may be used for program costs associated with the repair of private roads and bridges, disbursement of grants to nonprofit organizations supporting bridge repairs, and to provide technical support and assistance for individual and local governments to comply with the no-rise certification requirements required by FEMA under the National Flood Insurance Program.

NCEM must report on the Program annually to the Joint Legislative Emergency Management Oversight Committee and the Fiscal Research Division beginning on June 30, 2025, and ending June 30, 2029.

This subpart became effective March 19, 2025.

Agricultural Crop Loss Program – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Subpart II-D

Subpart II-D of S.L. 2025-2 (House Bill 47) creates within the Department of Agriculture and Consumer Services (DACS) the Agricultural Crop Loss Program (Crop Loss Program) to provide financial assistance to farmers affected by Hurricane Helene or any agricultural disaster in 2024. This CLP is available for any person that experienced a verifiable loss of an agricultural or aquaculture commodity or farm infrastructure for a farm located in an affected area and the commodity was planted but not harvested on or before a respective agricultural disaster in the year 2024 that resulted in the commodity's or farm infrastructure's verified loss.

DACS shall allocate the funds appropriated in the act for the CLP as follows:

1. \$200 million for verifiable losses from Hurricane Helene in the affected area.
2. \$100 million for verifiable losses from an agricultural disaster in 2024, excluding Hurricane Helene. Additionally, the Department shall use remaining funds from Section 5.9A(c)(2) of S.L. 2021-180 and Section 5.4(a)(4) of S.L. 2022-74 for the same purpose.

This Subpart of the act became effective July 1, 2025, and expires 30 months after that date. Any funds allocated to the Program not expended or encumbered by that date must revert to the State Emergency Response and Disaster Relief Fund.

Small Business Infrastructure Grant Program – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 2F.1

Section 2F.1 of S.L. 2025-2 (House Bill 47) establishes the Small Business Infrastructure Grant Program, administered by the Department of Commerce, to assist small businesses by providing grants to local governments to expedite infrastructure repairs impacting the operation and patronage of small businesses in the area affected by Hurricane Helene. The total grant amount per county is limited to no more than 10% of the total funds appropriated for the program.

This section became effective March 19, 2025.

School Extension Learning Recovery Program – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 2G.1

Section 2G.1 of S.L. 2025-2 (House Bill 47) requires local school administrative units (LEAs) in the following counties affected by Hurricane Helene to offer a School Extension Learning Recovery Program (Program) following the 2024-2025 school year for students in grades four through eight: Ashe, Avery, Buncombe, Burke, Haywood, Henderson, Madison, McDowell, Mitchell, Rutherford, Transylvania, Watauga, and Yancey. Any charter school within any of these counties can elect to participate in the Program.

To be eligible for the Program, students must have been enrolled in a participating LEA or charter school during the 2024-2025 school year. The Program must give first priority to students who have not reached proficiency in reading or mathematics by the end of the 2024-2025 school year. Participation is voluntary and the parent or guardian of a student must provide consent for a student to enroll in the Program.

Whenever possible, a student must participate at the school the student was enrolled in for the 2024-2025 school year. A student who was enrolled in a charter school that elects not to participate in the Program can attend the Program in the participating LEA closest to the student's residence.

A participating LEA or charter school must develop and submit a plan to the Department of Public Instruction (DPI) for its Program no later than 30 days prior to the final instructional day of the 2024-2025 school year. DPI must notify the participating LEA of any recommended changes within 21 days.

The plan for the Program must meet the following requirements:

- Is separate and apart from the 2024-2025 school year rather than an extension of the school year.
- Includes at least 72 hours of instruction that meets the following:

- Includes at least three hours of daily instructional time (excluding time for lunch, transition periods, and physical activity).
 - Includes at least one hour of enrichment activity, such as sports, music, or arts.
 - Includes a period of physical activity during the instructional day.
 - Does not provide instruction on Saturdays.
 - Provides instruction in person.
 - Provides grade level course offerings in reading, mathematics, or a combination of both.
- Provides meal service for each instructional day.
 - Provides transportation services to the school.
 - Identifies the assessment that will be administered at the beginning and end of the Program to evaluate student progress.

Participating LEAs and charter schools must employ teachers and other school personnel as temporary employees on a contract basis. These temporary employees are not considered employees or teachers for the purposes of the Teachers and State Employees Retirement System (TSERS) or the State Health Plan and their earnings are not treated as compensation for the purpose of TSERS. Additionally, these employees are not eligible to accrue paid leave during their temporary employment.

Participating LEAs and charter schools must select assessments from a list provided by DPI for students to complete at the beginning and conclusion of the Program. Assessment results must be shared with all teachers of record for that student for the 2025-2026 school year.

By October 15, 2025, participating LEAs and charter schools must report all of the following to DPI:

- The number of students offered first priority enrollment in the Program, and the total number of students that enrolled in the Program.
- The attendance record of enrolled students.
- Results of the assessment given to students at the beginning and end of the Program.
- The number of students who progressed to the next grade level and the number of students who were retained in the same grade level after participating in the Program.

By January 15, 2026, DPI must report on the following to the Joint Legislative Education Oversight Committee (JLEOC):

- Implementation of the Program.
- The information required to be reported by participating LEAs to DPI.
- A copy of each Program plan submitted to DPI, including any changes recommended by DPI, the reason the change was recommended, and whether the recommendation was followed.
- Any other data or information DPI deems relevant.

The Office of Learning Research at the University of North Carolina at Chapel Hill (OLR) must study the effectiveness of the Program. OLR must report the results of the study to the JLEOC by January 15, 2027.

This section appropriates \$9 million to DPI for the Program. Any remaining funds will revert to the Helene Fund on October 15, 2025.

This section became effective March 19, 2025.

Extension of State of Emergency – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Part III

Part III of S.L. 2025-2 (House Bill 47) extended the Statewide declaration of emergency issued by the Governor in Executive Order No. 315 until June 30, 2025. This Part also provided that the extension of Executive Order No. 315 had no effect on Executive Order No. 322, issued by the Governor on October 16, 2024, and concerning unemployment insurance benefits.

This Part became effective March 19, 2025.

Extension of Expiration Dates for Certain Regulatory Requirements – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.1

Section 5.1 of S.L. 2025-2 (House Bill 47) extends the expiration dates of 10 regulatory flexibility provisions from S.L. 2024-51 (Helene I), S.L. 2024-53 (Helene II), and S.L. 2024-57 (Helene III) to the expiration of Executive Order No. 315 as extended by law.

The extended provisions pertain to (i) drinking and wastewater infrastructure, (ii) administrative dissolution of businesses, (iii) state employment, (iv) building permits and inspections, (v) construction, (vi) modular dwellings, and (vii) concealed handgun permits.

This section applies retroactively to March 1, 2025, unless otherwise prohibited by law.

Facilitate Permanent Installation of Broadband Infrastructure – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.2

Section 5.2 of S.L. 2025-2 (House Bill 47) requires roadway constructors repairing or rebuilding roads within a county affected by Hurricane Helene to do all of the following: (i) on roads that are a quarter of a mile long or longer, collaborate with any broadband provider that is repairing or rebuilding broadband infrastructure that was located along the original right-of-way; (ii) coordinate with broadband providers to avoid extended traffic disruptions or the necessity of further improvements upon the completion of the roadway construction process; and (iii)

cooperate with broadband providers converting temporary backbone broadband service into permanent broadband installations.

This section further requires the Department of Transportation and local governments to allow the underground installation of broadband infrastructure within rights-of-way as needed for the repair of broadband infrastructure damaged by Hurricane Helene.

This section became effective March 19, 2025.

Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47)

Section 5.5 of S.L. 2025-2 (House Bill 47) requires the North Carolina Department of Transportation (DOT) to enter into a contract with a third-party administrator to expeditiously seek reimbursement from the Federal Emergency Management Agency and the Federal Highway Administration for qualifying disaster expenditures in areas affected by Hurricane Helene. DOT must report monthly to the Joint Legislative Transportation Oversight Committee on expenditures and the status of reimbursement.

This section became effective March 19, 2025.

Funeral Establishment Exemption Waiver – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.6

Section 5.6 of S.L. 2025-2 (House Bill 47) amends the authority of the Board of Funeral Service to exempt funeral establishments from preparation room and reposing room requirements for up to two years (an increase from 180 days), and amends the ability for a funeral establishment to petition the court to extend the exemption period up to either three years from the date of loss or one year from the date of the court's order, whichever is greater.

This section became effective March 19, 2025.

Reconstruction of Nonconforming Residential Structures – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.7

Section 5.7 of S.L. 2025-2 (House Bill 47) allows the reconstruction or repair of a nonconforming residential structure in the affected area if several criteria are met, including, to the greatest extent possible, compliance with the local government's current development regulations. For the purposes of this summary, "affected area" means the counties under a major disaster declaration as a result of Hurricane Helene.

This section became effective March 19, 2025, and expires June 30, 2030.

School Calendar Flexibility and School Nutrition Compensation – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.8

Section 5.8 of S.L. 2025-2 (House Bill 47) addresses school calendar flexibility and school nutrition compensation for counties affected by Hurricane Helene.

School Calendar Flexibility: For instructional days or equivalent hours missed due to Hurricane Helene between December 2024 and February 2025, the governing body of a specified public school unit can, in its discretion, do the following: (i) make up any number of the instructional days or equivalent hours missed, (ii) deem as completed any number of the instructional days or equivalent hours missed up to a total of 10 days, or (iii) implement a combination of both of these options. The section only applies to public school units in the following counties: Ashe, Avery, Buncombe, Burke, Haywood, Henderson, Madison, McDowell, Mitchell, Rutherford, Transylvania, Watauga, and Yancey.

All employees and contractors of public school units that have been granted school calendar flexibility are deemed to have worked for any scheduled instructional days missed due to inclement weather during the months of December 2024 through February 2025 if the public school unit deemed the instructional time was completed. Employees and contractors must be compensated as if they had worked on the scheduled instructional days that were missed.

School Nutrition Compensation: Of the disaster recovery funds appropriated to the Department of Public Instruction (DPI) in S.L. 2024-51, DPI must provide compensation to public school employees and contractors of schools participating in the National School Lunch Program or School Breakfast Program for scheduled instructional days when compensation would have been provided by school meal receipts or by federal funds either (i) as authorized by the provision deeming those days to have been worked or (ii) for a scheduled instructional day that was conducted remotely. Employees and contractors compensated using funds described in this section must be compensated in the same manner they would have been compensated if they had worked on the scheduled instructional days that were missed or provided remotely.

If the funds appropriated are insufficient to provide for the authorized compensation, DPI must develop uniform criteria to determine the comparative economic need of public school units and prioritize those with the greatest economic need when awarding available funds.

Reporting Requirements: By May 1, 2025, DPI was required to report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division of the General Assembly on the following information for each public school unit that was allowed calendar flexibility and school nutrition compensation:

- The number of instructional days or hours missed due to inclement weather from December 2024 through February 2025, the number of days deemed completed as

allowed by this section, and any makeup days scheduled for missed days from December 2024 through February 2025.

- Any compensation provided to employees and contractors as allowed by this section.

This section became effective March 19, 2025.

Extend Quality Improvement Plan Flexibility – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.9

Section 5.9 of S.L. 2025-2 (House Bill 47) extends the temporary flexibility for the enforcement of quality improvement plans and annual review rules by the North Carolina Medical Board and the North Carolina Board of Nursing until one year after the issuance of the state of emergency issued by the Governor under Executive Order No. 315 on September 25, 2024. This temporary flexibility only applies to the enforcement of quality improvement plans and annual review rules for collaborative practice agreements for physician assistants and nurse practitioners who reside or are employed in the affected area.

This section became law on March 19, 2025.

Utility Emergency Authority – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.10

Section 5.10 of S.L. 2025-2 (House Bill 47) imposes a temporary moratorium that prohibits private landowners in the affected area^{[\[1\]](#)} from filing inverse condemnation or trespass claims against utilities arising from the replacement or repair of utility poles or transformers, to be in effect until June 30, 2026. The statute of limitations for private landowners to bring claims subject to the temporary moratorium is extended by one year.

This section became effective March 19, 2025.

^{[\[1\]](#)} "Affected area" is defined as those "counties designated before, on, or after the effective date of this act under a major disaster declaration by the President of the United States under the Stafford Act (P.L. 93-288) as a result of Hurricane Helene."

Extend the Time-Limited Removal of Barriers to Allow Retirees of the Teachers' and State Employees' Retirement System and the Local Governmental Employees' Retirement System to Return to Work on a Part-Time, Temporary, or Interim Basis – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.11

Section 5.11 of S.L. 2025-2 (House Bill 47) amends Section 12.1(a) of S.L. 2024-51 to allow individuals who retired from the Teachers' and State Employees' Retirement System or the Local

Governmental Employees' Retirement System between April 1, 2024, and March 1, 2025, rather than October 1, 2024, to return to work after one month, provided they return to work in a disaster zone on a part-time, temporary, or interim basis.

This section became effective March 19, 2025.

Delay 2024 North Carolina State Building Code Effective Date. – Disaster Recovery Act of 2025 - Part I.

SL 2025-2 (H47), Sec. 5.12

Section 5.12 of S.L. 2025-2 (House Bill 47) delays the effective date of the 2024 North Carolina State Building Code to 12 months after the first day of the month following the date the State Fire Marshal certifies, by letter to the Revisor of Statutes with copies sent to the President Pro Tempore of the Senate and the Speaker of the House of Representatives, that both of the following events have occurred:

- The Building Code Council and Residential Code Council have completed all of the following publication and distribution requirements:
 - The initial publication and printing of the adopted 2024 North Carolina State Building Code, including all amendments adopted as of March 19, 2025.
 - The distribution of copies of the initially published 2024 North Carolina State Building Code to all State and local officials and departments who are required by statute to receive copies of the Code without the necessity of a written request.
 - The making of copies of the initial publication of the 2024 North Carolina State Building Code available for purchase by members of the general public.
- The Residential Code Council is fully constituted in accordance with statutory membership requirements.

Nothing in these provisions abrogates the duties of the Building Code Council or Residential Code Council during the delay, including finalizing its publication, providing technical assistance, and educating the public regarding changes to the North Carolina State Building Code. This section expires 12 months after the first day of the month following the State Fire Marshal's certification that both of the events listed above have occurred.

This section became effective March 19, 2025.

Agricultural Disaster Crop Loss Program Correction – House Budget Technical Corrections.

SL 2025-4 (H74), Sec. 1A.2(a)

Section 1A.2(a) of S.L. 2025-4 (House Bill 74) extended the deadline for individuals to apply for relief for crop losses incurred due to Hurricane Helene from 45 days after March 19, 2025, to 60 days after that date and, for nursery crops, fruit-bearing trees and bushes, and specialty crops where the survival level was not immediately known, allowed the Department of Agriculture and

Consumer Services to extend the deadline by an additional 60 days, rather than an additional 45 days.

This section became effective May 14, 2025.

Local Government FEMA Loan Reimbursement from Previous Disasters – House Budget Technical Corrections.

SL 2025-4 (H74), Sec. 1A.3

Section 1A.3 of S.L. 2025-4 (House Bill 74) authorizes units of local government that received State loan funds pursuant to previously enacted legislation responding to Hurricanes Matthew, Florence, Michael, and Dorian, to assist with cashflow management while awaiting federal reimbursement to apply to the Department of Public Safety's Office of Recovery and Resiliency for forgiveness of all or part of the outstanding loan principal and interest if:

- The unit of local government applied for Public Assistance reimbursement from the Federal Emergency Management Agency (FEMA) and that application was denied, in whole or in part.
- The unit of local government does not have any active appeals or active arbitrations for Public Assistance reimbursement from FEMA.
- The project worksheet has been closed.

This section became effective May 14, 2025.

Nondiscrimination in State Disaster Recovery Assistance – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Secs. 2 and 3

Sections 2 and 3 of S.L. 2025-18 (House Bill 251) make it a Class I felony for the State, or its agencies and employees, to deny or discriminate against a United States citizen, United States national, or qualified alien for disaster recovery assistance based on political affiliation or political speech. These sections also prohibit the State from requiring any applicant for any State emergency assistance in the form of grants to provide any personal demographic information unless that information is necessary to award the grant or to otherwise comply with State or federal law.

The portion of the act creating a Class I felony becomes effective December 1, 2025, and applies to offenses committed on or after that date. Section 3 became effective June 26, 2025.

Theft of Temporary Housing During Emergency – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 4

Section 4 of S.L. 2025-18 (House Bill 251) provides that the offense of trespass during an emergency occurs when a person unlawfully enters upon the premises of another person in an emergency area during a declared state of emergency when the usual security of property is not effective due to the occurrence or aftermath of the emergency that prompted the declared state of emergency.

Section 4 of S.L. 2025-18 also increases the penalty for looting temporary housing. Specifically, it provides that any person who commits the crime of trespass during an emergency under G.S. 14-288.6(a) and unlawfully takes or damages the temporary housing of another, or unlawfully takes property from the temporary housing of another, is guilty of looting and is punished as a Class F felon. Looting property other than temporary housing is punishable as a Class H felony.

The term "emergency area" is defined to mean the geographical area covered by a declared state of emergency. The term "temporary housing" includes the following:

- Any structure being used for human shelter which is designed to be transportable and is not permanently attached to the ground, another structure, or a utility system.
- A vehicle being used as temporary living quarters.
- Any equipment used to transport or deliver a temporary living structure or vehicle.
- Any item attached or intended to be attached to a temporary living structure or vehicle that provides air conditioning, heating, or a source of power.

This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

Automatic State Adoption of Any Temporary Federal Relief Issued by the Secretary of the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 5

Section 5 of S.L. 2025-18 (House Bill 251) automatically modifies or waives rules for the regulations of hospitals to conform to corresponding federal rule waivers or modifications in an emergency area during times of declared emergencies. The waiver or modification remains in effect at least until the corresponding federal waiver or modification expires. The Division of Health Service Regulation, Department of Health and Human Services, is not prohibited from further waiving or modifying any rules.

This section became effective June 26, 2025.

Authorize a Temporary Exemption from Certain State Building Code Requirements Pertaining to Fire-Resistant Windows for Downtown, Commercial Structures Damaged by Hurricane Helene – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 6

Section 6 of S.L. 2025-18 (House Bill 251) allows eligible buildings to be temporarily exempt from compliance with current fire-resistant window requirements under the North Carolina State Building Code (Code). An eligible building is one that meets all of the following criteria:

- Is located in a Helene-affected county, was in existence prior to September 27, 2024, and was directly damaged or destroyed by Hurricane Helene.
- Is located within the central business district or downtown commercial district of a city as of September 27, 2024.
- Is solely classified as a commercial occupancy under the Code and not classified under any residential or mixed-use occupancy group.
- Is undergoing reconstruction, rebuilding, rehabilitation, or repair solely for the purpose of restoring the building to substantially its previous condition, use, occupancy, and size, without expanding its original footprint, height, or changing its occupancy classification under the Code.

Owners of eligible buildings may reconstruct or repair the eligible building using window assemblies that have the same fire-protection rating that existed in the eligible building as of September 27, 2024. Eligible buildings are not required to upgrade to the current fire-protection ratings required by the Code. To utilize the exemption, the owner of an eligible building must submit an affidavit to the local building inspections department with the permit application. The exemption must be claimed within two years after the effective date of this section and does not relieve owners of eligible buildings from complying with other fire safety requirements.

This section became effective June 26, 2025, and applies to eligible buildings for which a Certificate of Occupancy is issued on or after that date.

Historic Flood Event Building Code Exemptions (Replacing or Reconstructing Existing Buildings). – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 7

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

- Upon the execution of a memorandum of agreement (MOA) between North Carolina and the Federal Emergency Management Agency (FEMA), authorizes the owner of a lawfully established building or structure damaged by the Helene flood event to replace or reconstruct the building or structure within the base floodplain to the same or lesser extent or volume existing immediately before the historic flood event, without regard to changes in State or local regulations adopted after the building or structure was lawfully

established. The MOA must specify conditions under which reconstruction in the designated Helene-affected counties may deviate from the specific the National Flood Insurance Program (NFIP) floodplain management standards, while ensuring that all counties remain eligible for participation in the NFIP.

- Limits local government authority to adopt ordinances to regulate uses in flood hazard areas and grant permits for the use of flood hazard areas that are consistent with floodway regulation statutes.
- Requires all communities in North Carolina to continue to enforce FEMA's minimum floodplain management standards, except for property owners in Helene-affected counties granted specific authority pursuant to the MOA.

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

Historic Flood Building Code Exemption (Vegetative Debris) – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 8

Section 8 of S.L. 2025-18 (House Bill 251) requires the Department of Environmental Quality, the Department of Agriculture and Consumer Services (DACs), and units of local government, as applicable, to waive all of the following requirements, to the extent the requirements are State or local in origin and not otherwise required to satisfy federal law, as they may apply to activities to process tree stumps and other vegetative debris into mulch or soil amendments in the counties designated before, on, or after the effective date of this act under a major disaster declaration by the President of the United States due to Hurricane Helene:

- Solid waste composting rules for Type 1 facilities.
- Stormwater and sedimentation and erosion control requirements.
- Air quality permit requirements for vegetative debris processing equipment.
- Soil amendment or compost product registration required by DACs.
- State Fire Code limitations on mulch pile storage.

This section became effective June 26, 2025, and expires July 1, 2027.

Historic Flood Event Building Code Exemption (Composting) – Various Disaster Recovery Reforms.

SL 2025-18 (H251), Sec. 9

Section 9 of S.L. 2025-18 (House Bill 251) requires units of local government in Helene-affected counties managing vegetative debris removal within their jurisdictions to transport that material to a composting site for reuse as mulch or soil amendment when the transportation and disposal costs for processing tree stumps and other vegetative material at a composting site are equal to or less than transporting and disposing of the material at a landfill.

This section became effective June 26, 2025, and expires on July 1, 2027.

Hurricane Helene Local Government Capital Grant Program – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Subpart II-B

Subpart II-B of S.L. 2025-26 (House Bill 1012) creates the Hurricane Helene Local Government Capital Grant Program (Program), administered by the Office of State Budget and Management (OSBM), to disburse grants to units of local governments or federally recognized tribes in the Helene-affected area for capital projects in the affected area in accordance with the Program requirements. OSBM must disburse grants to eligible recipients under a damage per capita formula developed from Federal Emergency Management Agency's (FEMA) damage estimates and reports in the affected area from Hurricane Helene. The grants must be used for capital projects to repair, renovate, or replace infrastructure damaged by Hurricane Helene. These capital projects must be projects that have been denied eligibility for FEMA Public Assistance reimbursement. OSBM must prioritize grants to an eligible recipient with a population of 300,000 or fewer based on the 2023 Certified County Population Estimates from the State Demographer and that qualify, in whole or in part, for FEMA Public Assistance Categories C through G. OSBM may not award more than the following percentages of the funds appropriated for the Program:

1. 20% to one county, including grants to units of local government within that county.
2. 5% per eligible recipient.
3. 5% per zip code if that zip code only qualifies for FEMA Public Assistance Categories A through B.

OSBM must submit a report to the chairs of the Joint Legislative Oversight Committee on General Government, the Joint Legislative Emergency Management Oversight Committee, and the Fiscal Research Division no later than six months after the application period for this Program opens, and every six months thereafter until all funds are expended. The report must include, at a minimum, the following:

1. The number of grants disbursed and to which eligible recipients.
2. The proposed uses for each grant.
3. The average and median amounts of the grants disbursed under the Program.

This section became effective June 27, 2025.

Hurricane Helene Flood Mitigation Grant Program – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Subpart II-C

Subpart II-C of S.L. 2025-26 (House Bill 1012) establishes the Hurricane Helene Flood Mitigation Grant Program (Program). Funds appropriated in this act to North Carolina Emergency Management (NCEM) for the Disaster Relief and Mitigation Fund must be used to provide funds

to the Program to provide flood mitigation grants to local governments and nonprofit organizations to undertake flood mitigation projects in the affected area. Recipients of grants under the Program are not required to cost-share or match and are to be paid under a reimbursement model for eligible costs incurred.

Projects that receive grants under the Program must reduce the risk of future damage from flooding through structural or nonstructural measures through the following:

- Culvert or bridge retrofits or replacements.
- Stormwater and drainage system improvements.
- Relocation of at-risk infrastructure.
- Hardening of critical facilities and utilities.

Local governments may also apply for engineering assistance grants under the Program which may be used to identify and design shovel-ready projects related to flood mitigation.

NCEM and the Program are subject to the following restrictions:

- NCEM must not award a grant larger than (i) 10% to a single recipient or (ii) 20% to a single county, of the total funds appropriated in this act for the Program.
- NCEM may retain up to 1.5% of the funds appropriated for the Program for administrative expenses.

This subpart became effective June 27, 2025.

Aerial Asset Accessibility Grant Program – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Subpart II-D

Subpart II-D of S.L. 2025-26 (House Bill 1012) creates the Aerial Asset Accessibility Grant Program (Program), administered by the North Carolina Division of Emergency Management (NCEM), for the purposes of repairing damage from Hurricane Helene and to improve airfield property to increase emergency preparedness and disaster response. Eligible recipients for a grant awarded under this Program are limited to persons or units of local government that own an airport that (i) is currently in operation or (ii) was in operation prior to Hurricane Helene and not currently in operation but for damage from Hurricane Helene and meet certain criteria. Eligible recipients are subject to prioritization by NCEM. Grants must not exceed \$5 million per eligible recipient, and a single county must not receive more than two grants. NCEM must submit a report to the chairs of the Joint Legislative Emergency Management Oversight Committee and the Fiscal Research Division no later than six months after the application period for this Program opens, and every six months thereafter until all funds are expended.

This subpart became effective June 27, 2025.

Dam Safety Grant Fund – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Subpart II-E

Subpart II-E of S.L. 2025-26 (House Bill 1012) creates, within the Department of Environmental Quality (DEQ), a special, nonreverting account known as the Dam Safety Grant Fund (Fund) to issue grants to eligible dam owners for the purpose of dam repair, modification, or removal, if the dam was damaged by a natural disaster. In administering the Fund, DEQ's Division of Energy, Mineral, and Land Resource shall prioritize grants to serve as the State match for eligible projects based on the Risk-Based Prioritization Method established under the federal High Hazard Potential Dams (HHPD) Rehabilitation Grant Program. Grants from the Fund may also be awarded to projects not eligible for the federal match pursuant to the HHPD Rehabilitation Grant Program if the dam was damaged by a natural disaster and classified as high hazard. DEQ must report annually to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources on the Fund and grants disbursed from the Fund.

This section became effective June 27, 2025.

Disaster Recovery Constituent Portal – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Subpart II-F

Subpart II-F of S.L. 2025-26 (House Bill 1012) requires the Department of Information Technology to issue a request for proposals for the development and creation of a disaster relief portal to operate as a central platform for relevant updates and constituent services in response to natural disasters in the State. The portal must consolidate relevant State and federal resources into a single, centralized portal where affected citizens can engage with State agencies, find resources, and receive real-time information.

This subpart became effective June 27, 2025.

Additional Budgetary Funding Availability and Regulation – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Part III

Part III of S.L. 2025-26 (House Bill 1012) makes additional budgetary funding availability and regulation by:

- Further extending the state of emergency issued by the Governor in Executive Order No. 315, as extended, to October 1, 2025.
- Appropriating approximately \$686 million in federal disaster funding to the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund for allocation in accordance with eligibility criteria for the purposes of wastewater treatment works,

drinking water facilities, and decentralized wastewater treatment systems in the State impacted by Hurricane Helene.

- Extending the terms of water infrastructure loans, enacted by Section 4C.7(j) of S.L. 2024-53, as amended by Section 1D.10 of S.L. 2024-57, from June 30, 2030 to June 30, 2035.
- Clarifying the Governor may only reallocate contingency and emergency funds on a nonrecurring basis.
- Authorizing demolition of Black Mountain Home for Children structures if approved by the Chief Financial Officer, Chancellor, and Board of Trustees of North Carolina State University.
- Specifying that for the 2025-2026 fiscal year, program administrators for State and local projects funded from the Parks and Recreation Trust Fund and grants awarded by the State Water Infrastructure Authority from the State Drinking Water and Wastewater Reserves, shall prioritize applicants from counties that (i) were designated, in whole or in part, by the United States Department of Housing and Urban Development as the most impacted and distressed counties from Hurricane Helene and (ii) have a population of 300,000 or fewer based upon the 2023 Certified County Population Estimates from the State Demographer.

This part became effective June 27, 2025.

Reversion, Limitations on Use of Funds, Audit, and Reporting of Funds – Disaster Recovery Act of 2025 - Part II.

SL 2025-26 (H1012), Part IV

Part IV of S.L. 2025-26 (House Bill 1012) places several restrictions and requirements on the use of disaster relief funds, including that:

- Funds appropriated by the act must be reverted to the Savings Reserve if not spent or encumbered by June 30, 2030.
- A recipient of State funds under the act must take all reasonable steps to obtain alternative funds, including insurance and federal aid, to cover the losses or needs for which the State funds are provided, and must return the State funds if the recipient does obtain those alternative funds.
- The Governor may not use these funds to make budget adjustments, and must ensure that these funds are allocated in a manner that does not adversely impact any person or entity's eligibility for federal aid.
- The Office of State Budget and Management, the Governor, and the State Auditor must report on the appropriations and allocations provided for in this act, in addition to their existing disaster relief funding reporting requirements.

This section became effective June 27, 2025.

Alena's Law & Office of Vital Records Changes.

SL 2025-44 (H537)

S.L. 2025-44 (House Bill 537) made changes to laws pertaining to receivership proceedings to administer the property of missing persons, specifically to:

- Provide that a federal written finding of presumed death is considered prima facie evidence of death by a judge or is considered sufficient evidence of death to be submitted to a jury, as applicable.
- Provide that the disappearance and continued absence, for at least 90 days, of a person that coincides with a State or federally declared disaster declaration creates a rebuttable presumption of death.
- Require that the complaint filed in superior court to initiate a receivership proceeding includes, as applicable, the existence of a federal written finding of presumed death or an averment of disappearance and continued absence for at least 90 days coincident to a State or federally declared disaster.

The act also requires the Office of Vital Records and local register of deeds offices to process birth and death certificate amendments within 30 days after receipt of the completed application, required proof, and payment of the applicable fee. It also prohibits telework by employees of the Office of Vital Records, except in certain circumstances.

This act became effective July 1, 2025. The provisions that relate to receivership proceedings apply to complaints for actions for receiver filed on or after that date.