

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35379-NJa-70

Short Title: Keep Immigrant Talent in NC. (Public)

Sponsors: Senators Murdock and Chitlik (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO RETAIN IMMIGRANT TALENT BY ESTABLISHING A "HIGH-SKILLED
3 TALENT RETENTION FUND".

4 The General Assembly of North Carolina enacts:

5
6 **PART I. RETAINING IMMIGRANT TALENT**

7 **SECTION 1.1.** Chapter 64 of the General Statutes is amended by adding a new
8 Article to read:

9 "Article 4.

10 "High-Skilled Talent Retention Fund.

11 "**§ 64-70. Creation; purpose.**

12 (a) There is established within the North Carolina Department of Commerce a
13 "High-Skilled Talent Retention Fund."

14 (b) Purpose. – "The High-Skilled Talent Retention Fund" (Fund) shall be used to provide
15 reimbursement grants to eligible individuals to offset costs associated with maintaining lawful
16 employment-based immigration status, including, but not limited to, all of the following:

17 (1) Renewal fees for H-1B, O-1, and TN visas.

18 (2) Employment-based adjustment of status filing fees.

19 (3) Required legal and processing costs directly related to continued employment
20 authorization.

21 "**§ 64-71. Administration.**

22 The North Carolina Department of Commerce (Department) shall administer the Fund and
23 adopt rules necessary to implement this Article.

24 "**§ 64-72. Eligibility.**

25 (a) An individual that needs financial assistance with maintaining lawful immigration
26 status and who meets all of the following requirements:

27 (1) Resides in North Carolina.

28 (2) Employed in North Carolina.

29 (3) Is considered a "high-skilled worker" as determined by rules promulgated by
30 the Department.

31 (b) For the purposes of this Article, the term "high-skilled worker" means an individual
32 who meets one or more of the following criteria:

33 (1) Education-based qualification. – Holds at least a bachelor's degree or higher
34 in a specialized field, including, but not limited to, science, technology,
35 engineering, mathematics (STEM), healthcare, finance, law, government,



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- 1 social services, or other high-demand and essential services-based professions
- 2 as determined by the Department.
- 3 (2) Occupation-based qualification. – Is employed in an occupation classified as
- 4 a "specialty occupation" under federal immigration law (H-1B standard) or in
- 5 a high-demand occupation as identified by the Department based on labor
- 6 market data.
- 7 (3) Visa classification. – Holds or is eligible for a high-skilled, employment-based
- 8 nonimmigrant or immigrant visa, including, but not limited to, H-1B, O-1,
- 9 TN, or employment-based permanent residency categories.
- 10 (4) Specialized skills or experience. – Possesses specialized knowledge, technical
- 11 expertise, or professional experience that is difficult to source within the
- 12 domestic labor market or is in a field losing a significant amount of workers,
- 13 as determined by the Department."
- 14

PART II. APPROPRIATION

SECTION 2.1. Appropriation. – There is appropriated from the General Fund to the North Carolina Department of Commerce the sum of one million dollars (\$1,000,000) in recurring funds beginning in the 2026-2027 fiscal year to establish and administer the Fund created by this act.

SECTION 2.2. Allowable Uses of Funds. – The funds appropriated in Section 2.1 of this act may be used for any of the following:

- (1) Reimbursement grants to eligible applicants pursuant to Section 1.1 of this act.
- (2) Administrative costs of the Department not to exceed five percent (5%) of the total funds appropriated.

SECTION 2.3. Nonreversion. – Funds appropriated in this Part shall not revert at the end of the fiscal year but shall remain available until expended.

PART III. SEVERABILITY

SECTION 3.1. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

PART IV. EFFECTIVE DATE

SECTION 4.1. This act is effective when it becomes law.