

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 266

Short Title: Standards for Some Nursery Stock Purchases. (Public)

Sponsors: Representatives Turner and R. Brawley (Primary Sponsors).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Regulatory Reform Subcommittee on Local Government.

March 11, 2013

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT COMMUNITY APPEARANCE COMMISSIONS, CITIES, AND COUNTIES FROM REQUIRING THAT NURSERY STOCK THAT IS PURCHASED WITHIN THE JURISDICTION OF THE COMMISSION, CITY, OR COUNTY RESPECTIVELY MEET ANY STANDARD FOR NURSERY STOCK THAT IS STRICTER THAN THE AMERICAN STANDARD FOR NURSERY STOCK ADOPTED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, UNLESS THE STRICTER STANDARD IS NECESSARY TO PROTECT PUBLIC HEALTH OR SAFETY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 7 of Article 19 of Chapter 160A of the General Statutes is amended by adding a new section to read:

**"§ 160A-455.1. Restriction concerning standards in excess of national standards applicable to nursery stock.**

No commission may make any plans or carry out any program under this Part to enhance the visual quality or aesthetic appearance of the municipality or county within its jurisdiction that will require that any nursery stock that is purchased to be planted within its jurisdiction satisfy any standard that exceeds the American Standard for Nursery Stock adopted by the American Nursery and Landscape Association, unless the stricter standard is necessary to protect public health or safety."

**SECTION 2.** Article 21 of Chapter 160A of the General Statutes is amended by adding a new section to read:

**"§ 160A-499.4. Standards for nursery stock.**

No city may require that any nursery stock that is purchased to be planted within its jurisdiction satisfy any standard for nursery stock that exceeds the American Standard for Nursery Stock adopted by the American Nursery and Landscape Association, unless the stricter standard is necessary to protect public health or safety."

**SECTION 3.** Article 23 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-457. Standards for nursery stock.**

No county may require that any nursery stock that is purchased to be planted within its jurisdiction satisfy any standard for nursery stock that exceeds the American Standard for Nursery Stock adopted by the American Nursery and Landscape Association, unless the stricter standard is necessary to protect public health or safety."



1                   **SECTION 4.** This act is effective when it becomes law and applies to any contracts  
2 for the purchase of nursery stock made on or after that date.