

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 171

Short Title: Limit Regulation of Greenhouse Gas Emissions. (Public)

Sponsors: Senators Jackson, Brock, and J. Davis (Primary Sponsors).

Referred to: Agriculture/Environment/Natural Resources.

March 5, 2013

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT STATE AGENCIES AND LOCAL GOVERNMENTS FROM ADOPTING, IMPLEMENTING, OR ENFORCING A RULE OR ORDINANCE THAT REGULATES GREENHOUSE GAS EMISSIONS OR LIMITS HUMAN ACTIVITY FOR THE PURPOSE OF REDUCING GREENHOUSE GAS EMISSIONS IF THE RULE OR ORDINANCE IS NOT REQUIRED BY A FEDERAL REGULATION OR LAW OR IS MORE STRINGENT THAN A CORRESPONDING FEDERAL REGULATION OR LAW.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-215.107 reads as rewritten:

"§ **143-215.107. Air quality standards and ~~classifications~~classifications; limit on regulation of greenhouse gases.**

...

(h) Notwithstanding any other provision of law, no agency, as defined in G.S. 150B-2, may adopt, implement, or enforce a rule that regulates greenhouse gas emissions or that limits human activity for the purpose of reducing greenhouse gas emissions if the rule is not required by a federal regulation or law or is more stringent than a corresponding federal regulation or law. Notwithstanding any other provision of law, no unit of local government may adopt, implement, or enforce a rule or ordinance that regulates greenhouse gas emissions or that limits human activity for the purpose of reducing greenhouse gas emissions if the rule or ordinance is not required by a federal regulation or law or is more stringent than a corresponding federal regulation or law. As used in this subsection, "greenhouse gas" means carbon dioxide, methane, nitrous oxide, and fluorinated gases, including chlorofluorocarbons, perfluorocarbons, and sulfur hexafluoride. As used in this subsection, "human activity" means energy generation by a public utility, as defined in G.S. 62-3, industrial processes, transportation, agricultural production, waste treatment and disposal, fossil fuel extraction activities, and any other residential, commercial, or other activities involving the burning of fossil fuels.

**SECTION 2.** This act is effective when it becomes law.

