

Agriculture and Wildlife

See full summary documents for additional detail

Limited Shark Fishing Tournament Moratorium.

SL 2023-26 (H544)

S.L. 2023-26 makes it unlawful for a person, between May 1 and October 31 of each year, to take sharks as part of a recreational fishing tournament where the person landing the shark is on the shore or on a structure attached to the shore of Carolina Beach, Caswell Beach, Holden Beach, Kure Beach, Oak Island, Ocean Isle Beach, Sunset Beach, or Bald Head Island.

This act became effective July 1, 2023, and applies to offenses committed on or after that date.

Rename Outdoor Heritage Advisory Council.

SL 2023-51 (S22)

S.L. 2023-51 does all of the following:

- Renames the Outdoor Heritage Advisory Council as the North Carolina Youth Outdoor Engagement Commission.
- Renames the North Carolina Outdoor Heritage Trust Fund for Youth Outdoor Heritage Promotion as the North Carolina Youth Outdoor Engagement Fund.
- Authorizes the North Carolina Youth Outdoor Engagement Commission to use grants and programming to promote youth outdoor recreational activities.

This act became effective June 23, 2023.

Include Income From the Sale of Honey in Gross Income for Purposes of Present Use Value Taxation – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1

Section 1 of S.L. 2023-63 allows income from the sale of honey to be considered gross income for the purposes of present use value taxation.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective for taxes imposed for taxable years beginning on or after July 1, 2023.

Clarify that Turkey Brooder Litter Recycling is a Bona Fide Farm Purpose with Respect to County Zoning – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1.1

Section 1.1 of S.L. 2023-63 clarifies that a facility that receives used turkey brooder litter from brooder farms and recycles the used litter by means of a drying process to reduce the moisture content of the litter sufficient to send the recycled litter to a turkey grow-out farm for reuse is a bona fide farm purpose that is exempt from county zoning.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Correct References to North Carolina Tobacco Foundation, Inc. – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1.2

Section 1.2 of S.L. 2023-63 changes statutory references to the North Carolina Tobacco Foundation, Inc. to refer to the North Carolina Agricultural Foundation, Inc. to reflect a merger between the North Carolina Agricultural Foundation, Inc. and the North Carolina Tobacco Foundation, Inc.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Add Equine Industry Member to the Board of Agriculture – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1.3

Section 1.3 of S.L. 2023-63 adds a twelfth member to the Board of Agriculture, who must be actively involved in the equine industry to represent the equine industry of the State.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Exempt Compost from Sales Tax for Qualifying Farmers – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1.4

Section 1.4 of S.L. 2023-63 exempts compost from sales and use tax when purchased by a qualifying farmer for use primarily in farming operations.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective October 1, 2023.

Amend the Definition of Agriculture – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 1.5

Section 1.5 of S.L. 2023-63 includes the following activities under the statutory definition of agriculture:

- Pine orchards planted for the purpose of harvesting pine needles for sale, or the harvesting of pine needles for sale from land with a forest management plan.
- When performed on the farm, biofuel production for commercial sale.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Agritourism Advertising – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 2

Section 2 of S.L. 2023-63 allows placement of farm signs in the right-of-way of the State highway system during a farm's seasonal operation. The same placement rules that apply to political signs during the period when they are allowed to be placed in the right-of-way apply to farm signs.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Amend Requirements on Agritourism Warning Signs – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 2.1

Section 2.1 of S.L. 2023-63 reduces the size requirement of the letters on the warning signage required to be posted in order for an agritourism operator to have immunity from liability for injury or death resulting exclusively from the inherent risks of such activities, such that the letters on those signs have to be a minimum of three quarters of one inch high rather than one inch high.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Clarify Definition of Property-Hauling Vehicles – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 3

Section 3 of S.L. 2023-63 provides that a fifth-wheel trailer, recreational vehicle, semitrailer, or trailer used exclusively or primarily to transport vehicles in connection with motorsports competition events is not considered a property-hauling vehicle.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Farm Equipment Defense for Stop Light Inductive Loops – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 3.1

Section 3.1 of S.L. 2023-63 creates a statutory defense for the operator of farm equipment or machinery who runs a red light using an inductive loop to activate the traffic signal if all the following conditions are met:

- The operator brought the farm equipment or machinery to a complete stop at the light.
- No other vehicle that was entitled to have the right-of-way was sitting at, traveling through, or approaching the intersection.
- No pedestrians were attempting to cross at or near the intersection.
- The farm equipment or machinery operator waited at least three minutes at the intersection before entering.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Amend Veterinary Medical Board Inspection Process and Give Veterinary Medical Board Responsibility for Performing Inspections of Boarding Kennels Operated by Veterinarians – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 4

Section 4 of S.L. 2023-63:

- Effective October 1, 2023, requires that the Veterinary Medical Board (Board) provide written notice of an upcoming inspection of a veterinary practice facility at least one week prior to the inspection. The written notice has to be accompanied by a checklist of all standards adopted by rule for which the inspector can issue a violation and, with as much specificity as possible, conditions that violate the standards. The veterinarian is authorized to contact the Board to reschedule the inspection, but the inspection must be rescheduled no later than one week after the originally scheduled date of the inspection.
- Effective 60 days after the Board adopts implementing rules, provides that the Board is responsible for the licensing and inspection of boarding kennels owned and operated by licensed veterinarians. This section also establishes a \$75 boarding kennel permit to be added to the veterinary facility permit fee. The Board must adopt rules to establish minimum standards for boarding kennels no later than July 1, 2024. These standards may be at least as stringent as those adopted by the Board of Agriculture for the regulation of boarding kennels.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

Create a Class 3 Misdemeanor for Leaving the Scene of an Animal Waste Spill – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 4.1

Section 4.1 of S.L. 2023-63 makes it a Class 3 misdemeanor for the driver of any vehicle who knows or reasonably should know that animal waste, except for excreta from live animals; dead animals or animal parts, except for feathers from live birds; or animal byproducts have been blown, scattered, spilled, thrown, or placed from the vehicle to leave the scene of the incident. There are exceptions allowing the driver to leave the scene to call for a law enforcement officer, call for assistance in removing the materials that were blown, scattered, thrown, spilled, or placed from the vehicle, or to remove oneself or others from significant risk of injury. The court can also order restitution for the cost of removing the materials that were blown, scattered, thrown, spilled, or placed from the vehicle.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective December 1, 2023, and applies to offenses committed on or after that date.

Encourage Public Schools to Make One Hundred Percent Muscadine Grape Juice Available to Students – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 5

Section 5 of S.L. 2023-63 sets an aspirational goal that muscadine grape juice be available in public schools, community colleges, and universities throughout the State.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Conform Penalties for Assault With a Deadly Weapon on Department of Agriculture and Consumer Services Inspectors – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 5.1

Section 5.1 of S.L. 2023-63 makes the penalty for assault with a deadly weapon on an inspector from the Sleep Products Division of the Department of Agriculture and Consumer Services (Department) or a poultry inspector from the Meat and Poultry Inspection Division a Class A1 misdemeanor.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective December 1, 2023, and applies to offenses committed on or after that date.

Department of Agriculture and Consumer Services Authority to Adopt Rules for Department-Operated Markets and Set Metrology Laboratory Fees – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 5.2

Section 5.2 of S.L. 2023-63 allows the Commissioner of Agriculture (Commissioner), with the advice and consent of the Board of Agriculture, to adopt rules related to markets operated by the Department of Agriculture and Consumer Services and retain current rules relating to markets for which the statutory authority was repealed in 2021. This section also allows the

Commissioner to adopt rules to set reasonable fees for calibration services and adjustments performed by the Metrology Laboratory Section of the Standards Division.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Establish a Voluntary Assessment for Grade "A" Dairy Producers – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 5.4

Section 5.4 of S.L. 2023-63 authorizes the North Carolina Dairy Producers Association to conduct a referendum among dairy producers on the question of levying an assessment not to exceed five cents per hundredweight of milk. If more than half the votes cast in the assessment are in favor, the assessment would be collected by milk handlers or dairy cooperatives, or would be paid directly by dairy producers who do not use the services of a milk handler or dairy cooperative. The funds collected would be used to promote the interests of the dairy industry via research and marketing related to dairy products and the dairy industry. A dairy producer would be able to request a refund of the assessment.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Establish Equine State Trail – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 6

Section 6 of S.L. 2023-63 authorizes the Department of Natural and Cultural Resources to add the Equine State Trail in Chatham, Cumberland, Harnett, Hoke, Lee, Montgomery, Moore, and Richmond Counties to the State Parks System as a State trail.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Rename the Official State Fruit to the Muscadine Grape – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 7

Section 7 of S.L. 2023-63 renames the official State fruit to the Muscadine grape, which includes all varieties of Muscadine grape.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Designate the Longleaf Pine as the Emblem Representing the Trees of North Carolina – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 8

Section 8 of S.L. 2023-63 designates the longleaf pine as the emblem representing the trees of North Carolina.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Designate the Second Wednesday in November of Each Year as North Carolina Farmers Appreciation Day – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 8.1

Section 8.1 of S.L. 2023-63 designates the second Wednesday in November of each year as North Carolina Farmers Appreciation Day, beginning in 2024.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Prescribed Burning Act Amendments – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 9

Section 9 of S.L. 2023-63 makes several changes to the Prescribed Burning Act by amending (i) definitions of "prescribed burning" and "prescription," (ii) landowner liability during a prescribed burn, and (iii) the process for conducting a prescribed burn, as described in the full summary.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Prohibit Use of an Unmanned Aircraft Near a Forest Fire – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 10

Section 10 of S.L. 2023-63 prohibits the use of an unmanned aircraft system within either a horizontal distance of 3,000 feet or a vertical distance of 3,000 feet from any forest fire within the jurisdiction of the North Carolina Forest Service, with exceptions for law enforcement and employees of the North Carolina Forest Service.

There is a range of penalties for violation of this section. A person who operates an unmanned aerial system in violation of this section would be fined at least \$1,000 and otherwise punished as follows:

- If the person is the proximate cause of death of another person, the person is guilty of a Class D felony.
- If the person is the proximate cause of serious bodily injury to another person, the person is guilty of a Class E felony.
- If the person is the proximate cause of serious mental or physical injury to another person, the person is guilty of a Class F felony.
- If the person interferes with emergency operations and such interference proximately causes damage to any real or personal property or any tree, wood, underwood, timber, garden, crops, vegetables, plants, lands, springs, or any other matter or thing growing or being on the land, the person is guilty of a Class G felony.
- If the person interferes with emergency operations, the person is guilty of a Class H felony.
- If the person is the proximate cause of mental or physical injury to another person, the person is guilty of a Class I felony.
- If the person does not cause any of the injuries specified in this list, the person is guilty of a Class A1 misdemeanor.

A law enforcement agency is authorized to seize an unmanned aircraft system operating in violation of this section.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective December 1, 2023, and applies to offenses committed on or after that date.

Amend Timber Larceny Statute – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 11

Section 11 of S.L. 2023-63 adds two acts to the offense of larceny of timber, which is a class G felony:

- Knowingly and willfully aiding, hiring, or counseling an individual to cut down, injure, or remove any timber owned by another person without the consent of the owner of the land or the owner of the timber, or without a lawful easement running with the land. There is an exception for electric power suppliers who believe in good faith that either (i) consent of the owner had been obtained prior to aiding, hiring, or counseling the individual to cut down, injure, or remove the timber, or (ii) the cutting down, injuring, or removing of the timber was permitted by a utility easement or was necessary to remove a tree hazard.
- Knowingly and willfully transporting forest products that have been cut down, removed, obtained, or acquired from the property of a landowner without the consent of the owner of the land or the owner of the timber, or without a lawful easement running with the land.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective December 1, 2023, and applies to offenses committed on or after that date.

Limit Civil Penalties for Removal of Timber in a Riparian Buffer to the Value of the Timber – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 11.1

Section 11.1 of S.L. 2023-63 provides that a civil penalty for removal of timber in a riparian buffer in violation of rules applicable to that riparian buffer cannot exceed the value of the timber removed from the riparian buffer.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective July 1, 2023, and applies to acts committed on or after that date.

Establish Forestry Services and Advice Fund – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 12

Section 12 of S.L. 2023-63 establishes the Forestry Services and Advice Fund (Fund) as a special fund within the North Carolina Forest Service. Moneys paid to the Commissioner of Agriculture

(Commissioner) for the provision of forestry services and advice for landowners are deposited into the Fund. The Fund will be used to develop, improve, repair, maintain, operate, and otherwise invest in providing forestry services and advice to owners and operators of forestland.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Clarify Powers of Forest Rangers – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 12.1

Section 12.1 of S.L. 2023-63 clarifies that a forest ranger or deputy ranger can use all necessary means to confine and extinguish a forest fire whether or not the fire occurs during a season of drought.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Align Animal Waste Management System Operator Fees with Water Pollution Control System Operator Fees – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 13.1

Section 13.1 of S.L. 2023-63 increases the examination including certificate fee for Animal Waste Management System Operators from \$25.00 to \$85.00 and raises the renewal fee from \$10.00 to \$25.00.

Additionally, this section provides that a certificate that is not renewed when due is invalid. If the certificate has been invalid for less than 12 months, it can be renewed by paying the renewal fee plus a late application fee of twice the annual renewal fee. The certificate holder must pay all penalties that have been assessed since the certificate was last renewed and meet all accrued continuing education requirements. If the certificate has been invalid for more than 12 months, the operator must pass the certification examination to renew the certificate.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Digester General Permit Clarification – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 14

In 2021, the General Assembly directed the Department of Environmental Quality to develop a general permit for animal operations that includes authorization for the permittee to construct and operate a farm digester system.

Section 14 of S.L. 2023-63 amends the definition of "farm digester system" to clarify that "associated equipment" refers to "animal waste management equipment" and that collected gases must be used as a renewable energy resource as quickly as feasible, but within six months of the collection of the gases, and during that period the gas must be flared rather than vented.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023.

Direct the Environmental Management Commission to Withdraw the 2021 NPDES General Permit for Aquaculture and Revise it to be Substantively Identical to the Previous General Permit – North Carolina Farm Act of 2023.

SL 2023-63 (S582), Sec. 14.1

Section 14.1 of S.L. 2023-63 requires the Environmental Management Commission (EMC) and Department of Environmental Quality (DEQ) to reopen and modify National Pollutant Discharge Elimination System (NPDES) General Permit NCG530000 issued for discharges from seafood packing and rinsing, aquatic animal operations, and similarly designated wastewaters that took effect on December 1, 2021, to make it substantially similar to the previous general permit issued in 2018. The 2021 permit is more stringent than the 2018 permit in that it (i) requires quarterly, rather than annual monitoring, (ii) requires monitoring of nine parameters rather than four, and (iii) includes enhanced best management practices.

This bill was vetoed by the Governor on June 23, 2023, and that veto was overridden by the General Assembly on June 27, 2023.

This section became effective June 27, 2023, and expires when the EMC revises the permit and notifies the Revisor of Statutes that it has done so.

2023 Wildlife Resources Changes.

SL 2023-69 (H192)

S.L. 2023-69 makes the following changes to the statutes governing the Wildlife Resources Commission (WRC), as described in further detail below:

- Effective July 1, 2023, allows WRC to expend funds to construct or renovate equipment storage or maintenance buildings with a total project cost of less than \$150,000. Also allows the Department of Agriculture and Consumer Services (DACCS) to expend funds for these purposes to build equipment structures with a total project cost of less than \$150,000.
- Allows WRC to use funds appropriated for removal of high-hazard dams in the mountain region of the State to remove dams that are not categorized as "high-hazard" but are otherwise prioritized for removal by WRC, until June 30, 2025.
- Effective July 1, 2023, exempts WRC from the Department of Administration's architecture and engineering authority for projects within boating access areas, public fishing areas, and WRC game lands with an estimated cost of \$750,000 or less and establishes a procedure by which WRC must conduct certain fee negotiations and contract oversight.
- Creates a new license available to a person that either holds a valid big game license or is otherwise exempt from hunting license requirements, to take two deer of either sex in an area identified by WRC as a special management area due to the presence or potential presence of chronic wasting disease (CWD).
- Allows the Executive Director of WRC to issue proclamations creating or modifying CWD surveillance areas, as well as mandatory sampling requirements, for cervids taken in areas where the Executive Director receives notice of a new confirmed case of CWD in that area.
- Eliminates floatation device type designations in statute, consistent with federal law.
- Allows for relocation of an object of remembrance commemorating WRC law enforcement officers killed in the line of duty.
- Makes a conforming change to how titles are delivered to WRC for the purposes of titling a vessel that is otherwise titled in another state so that the third-party vendor is allowed to submit these documents to WRC.
- Allows fishing with the aid of an unmanned aircraft or unmanned aircraft system when the unmanned aircraft or unmanned aircraft system is used for purposes of spotting fish; locating fish; recording, broadcasting, or streaming video of fish; or deploying bait. This section became effective July 1, 2023, and applies to activities occurring on or after that date.

Except as otherwise provided, this act became effective June 30, 2023.

Agriculture Analytics Platform Initiative – 2023 Appropriations Act.

SL 2023-134 (H259), Sec. 8.13

Section 8.13 of S.L. 2023-134 requires North Carolina State University (NC State) and North Carolina Agricultural and Technical State University (NC A&T) to contract with SAS Institute, Inc. to establish or maintain a software platform to use data collection and analytics to improve agricultural systems and agricultural profitability. Funds will be used for software, equipment installation, cloud hosting, and technical support. NC State and NC A&T will collaborate in the creation and use of these platforms as much as practicable.

No later than August 15, 2025, NC State and NC A&T must report to the Joint Legislative Education Oversight Committee on the impact of the initiative on the following:

- The sustainability and profitability of agricultural systems in the State, including any improved efficiencies.
- Research grants secured by each constituent institution.
- Student and faculty recruitment and retention.
- Engagement and collaboration with private farmers in the State.
- Faculty research on agriculture.
- Collaboration between NC State and NC A&T.

This section became effective July 1, 2023.

North Carolina Agriculture Manufacturing and Processing Initiative – 2023 Appropriations Act.

SL 2023-134 (H259), Sec. 10.2

Section 10.2 of S.L. 2023-134 establishes the North Carolina Agricultural Manufacturing and Processing Initiative (NCAMPI) within the Department of Agriculture and Consumer Services (DACS) and allocates, from the funds appropriated to DACS from the interest earned in the State Fiscal Recovery Reserve, \$10 million of nonrecurring, nonreverting funds in each of the 2023-2024 and 2024-2025 fiscal years to be used for NCAMPI. DACS can use these funds for the following purposes:

- Up to \$500,000 in the first year of the program for DACS to engage independent experts to identify opportunities to increase value-added processing of commodities produced in the State and address categorical or geographical gaps in agricultural manufacturing and processing, with \$100,000 dedicated to the dairy industry.
- Up to \$250,000 each year for DACS to market and recruit agricultural manufacturing and processing facilities to fill identified gaps in access to such facilities by North Carolina farmers based on the assessment.
- For the remaining funds, to provide grants to local governments and nonprofit economic development entities to support the creation or expansion of agricultural manufacturing facilities. A grant award cannot exceed \$5 million per facility.

DACS must find that a grant under this section is necessary for the construction or expansion of a facility to be used by a business entity that will engage in agricultural manufacturing or processing activities in this State.

DACS must report on NCAMPI activities to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division by October 1 of each year.

This section became effective July 1, 2023.

Tobacco Farm Life Museum Special Fund – 2023 Appropriations Act.

SL 2023-134 (H259), Sec. 14.3

Section 14.3 of S.L. 2023-134 directs the Department of Natural and Cultural Resources (DNCR) to assume ownership and administration of the Tobacco Farm Life Museum in Johnston County from the Tobacco Farm Life Museum, Inc. and creates the Tobacco Farm Life Museum Fund within the DNCR to pay costs associated with the operation, interpretation, development, expansion, preservation, and maintenance of the Tobacco Farm Life Museum. Of the funds appropriated to the DNCR General Fund, \$375,000 in the 2023-2024 fiscal year and \$350,000 in the 2024-2025 fiscal year must be used for the operation, administration, and new positions staffing the Tobacco Farm Life Museum. The section also repeals laws (Article 51, Chapter 143) requiring the DNCR to establish and otherwise manage tobacco museums in Rockingham County and in Nash or Edgecombe County.

The section that repeals statutes requiring the DNCR to establish and manage tobacco museums became effective October 3, 2023.

The remainder of the section becomes effective only if the Tobacco Farm Life Museum transfers and conveys all of its assets to the State.

Phased in Mandatory Commercial and Recreational Reporting of Certain Fish Harvests – Regulatory Reform Act of 2023.

SL 2023-137 (H600), Sec. 6

Section 6 of S.L. 2023-137 creates a phased in reporting requirement for certain commercial and recreational fish harvests, to be managed by the Division of Marine Fisheries of the Department of Environmental Quality and the Wildlife Resources Commission.

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section has a staggered effective date, with the first date being December 1, 2024. See the full summary for the detailed effective dates.

Clarify Certain Environmental Permitting Laws Applicable to Agricultural Activities – Regulatory Reform Act of 2023.

SL 2023-137 (H600), Sec. 15

Section 15 of S.L. 2023-137 clarifies which State permit a person constructing an animal waste management system needs to apply for, in addition to the required federal NPDES permit, and makes additional changes to the animal waste management system permitting regarding conditions and compliance boundaries.

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

Commissioner of Agriculture/Supply Chain Powers – Regulatory Reform Act of 2023.

SL 2023-137 (H600), Sec. 25

Section 25 of S.L. 2023-137, notwithstanding any other provision of law, authorizes the Commissioner of Agriculture (Commissioner) to develop and implement any emergency measures and procedures needed to mitigate an imminent threat to or a disruption of the agricultural supply chain or food supply chain with respect to poultry due to a lack of capacity at rendering facilities or landfills when the Commissioner determines that such a threat exists and convenes a meeting of the Board of Agriculture and the Board votes to concur with the Commissioner's determination. Any emergency measures implemented pursuant to this power are deemed permitted pursuant to G.S. 143-215.1(b) and G.S. 130A-294 and do not require the Department of Environmental Quality to issue individual permits. No further permitting will be required for composting, and composting conducted pursuant to this emergency authorization will be supervised by Commissioner-determined subject matter experts. The Commissioner is required to record the responses from the Board and release the response along with any emergency orders issued by the Commissioner. Emergency measures and procedures developed and implemented pursuant to this authority are exempt from the Administrative Procedure Act, and no emergency measure or procedures can last for more than 90 days, except that the Commissioner can renew any measure or procedure once for an additional 90 days.

This section also grants the Commissioner the same authority for supply chain disruptions with respect to livestock, except that the Commissioner also needs to submit any emergency measures or procedures relating to the composting of livestock to the Governor for approval before it could be implemented.

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.