



# Legislative Bulletin

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## The Weekly Recap

**WHAT HAPPENED:** It was a big week for North Carolina cities and towns at the General Assembly amid bigger, newsmaking topics this week, like [the signing of the sports-wagering bill](#).

**WHAT IT MEANS:** Topics of legislation watched by cities and towns this week include crash-scene investigators and system development fees -- both representing big wins in League policy goals. Private building inspections, forced sewer connections, and protection of critical infrastructure were also subjects in play this week. See below for writeups on each.

**ON TAP:** Eyes are still out for the General Assembly's state budget, which House and Senate negotiators are working to finalize with the new fiscal year on the horizon. If a budget isn't passed by then, the current budget would remain in effect until a new plan comes through.

**THE SKINNY:** While widely eyed topics were in play, so were big issues for cities and towns, with some policy-goal wins in the mix. Read on for the latest.

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## Civilian Crash Investigators Bill Sent to Governor

City officials gained a key legislative victory this week as [HB 140 Civilian Crash Investigators](#), which grants authority for cities across the state to employ civilian crash investigators, was given final approval by lawmakers and sent to the governor. The ability to utilize civilian crash investigators allows police officers to focus on more pressing law enforcement duties, while also reducing costs to cities. This bill supports one of city officials' top priorities to address statewide shortages of law enforcement officers.

Earlier this month, the bill was reduced to a pilot program that would have only allowed the initiative in Burlington, Greensboro, Greenville, and Winston-Salem. But Sen. Michael Lazzara, a past League president and co-chair of the legislature's Municipal Caucus, introduced an amendment to allow civilian crash investigators statewide, thereby matching HB 140 to a companion bill for which he was a primary sponsor. A

nearly unanimous House agreed with that change this week, and HB 140 now awaits gubernatorial action.

In addition to Sen. Lazzara, over a dozen other Municipal Caucus members joined many of their other colleagues in bipartisan support of this measure. City officials especially thank these legislators, including primary bill sponsors Reps. John Faircloth, John Hardister, Donny Lambeth, and Steve Ross, and Sens. Lazzara, Paul Newton, and Tim Moffitt, for promoting a meaningful solution to a serious local issue.

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## Congressman Rouzer Meets With, Updates Municipal Officials



U.S. Rep. David Rouzer met with municipal officials from around his southeast North Carolina district at a League-hosted luncheon last Friday in Wilmington. Over the course of the program -- the latest in the League's Congressional Luncheon series -- Congressman Rouzer provided updates from the Capitol and answered municipal officials' questions about topics like federal grant access, coastal storm-damage reduction projects, broadband and more. The District 7 congressman also spent time in conversation with individual attendees. [Click here for a photo gallery](#) from the event. We thank Congressman Rouzer and his staff.



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# Legislators Finalize Policies to Assist Growing Regionalizing Water Systems

In a close to unanimous move, state legislators finalized policies this week granting local governments much needed authority to manage their water systems in the face of growth and regionalization. Local water systems would gain more flexibility on wastewater capacity and system development fees under [SB 673 Wastewater Regulatory Relief Act](#). The bill, supported by city officials and approved this week in the N.C. House, now heads to Gov. Roy Cooper's desk for his consideration. City officials extend a special thanks and appreciation to primary bill sponsor and Senate Majority Leader Paul Newton for working with them on these important policy changes.

The first of two provisions in the bill modifies state rules for calculating a system's capacity to treat wastewater. When utilized, these new calculations should allow plants to accept more wastewater flow than under current rules, helping fast-growing areas of the state accommodate growth while at the same time planning for future needed wastewater upgrades. The second provision is a system development fee (SDF) statutory change negotiated by the League, NC Association of County Commissioners, and the NC Home Builders Association. The changes to that statute would enable regional water system partnerships by providing additional assurances that charging SDFs in those circumstances was legal.

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# Bill Advances to Create Private Commercial Building Inspections System

Legislators on the [House Finance Committee](#) advanced a [House measure](#) this week that would authorize inspections by private inspectors for commercial buildings across our state. The system outlined in [HB 893 Private Commercial Building Inspection](#) would represent a major policy change for North Carolina. Under the bill, developers and contractors would have the option of choosing a private building inspector for commercial projects. Local government inspections departments, however, would still sign off on the projects at the end of construction by conducting a final fire inspection and issuing a final certificate of occupancy. Concerns expressed by committee members during Wednesday's hearing mirrored those of city officials, including the potential for compromises to public safety and a lack of transparency and legal accountability on the part of the private inspectors. With the favorable committee vote this week, the bill now moves to the Committee on Rules, Calendar and Operations of the House.

NCLM Government Affairs staffers are interested in feedback from the League membership on this bill. Please send comments to Derrick Applewhite, Government Affairs Associate, [dapplewhite@nclm.org](mailto:dapplewhite@nclm.org).

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# Forced Water and Sewer Connection Provisions Advance

Municipal authority to compel connections to water or sewer service would be limited by a bill that is scheduled for the Senate floor next week. [HB 628 Amend On-Site Wastewater/Environment Statutes](#) makes various changes to the on-site wastewater rules. Of particular importance to local governments is section 10, which would prohibit forced water and sewer connections under certain conditions. Specifically, a city could not require connection if there is inadequate wastewater capacity or if the cost of connection exceeds the cost of installing an on-site wastewater system. Further, a city cannot require a property owner to connect to a city's water system if adequate water pressure cannot be achieved using the same piping size as the meter provides to the owner's premises.

Given the complexity of these exemptions, League staff have worked to have the provision removed. As HB 628 has progressed through the legislature, a similar sewer connection provision in [HB 488 Code Council Reorg. And Var. Code Amend](#) could serve as a preferable alternative. Unlike HB 628, Section 12(a) of HB 488 would only exempt properties from forced sewer connections if the city does not have adequate capacity in the system. This version would limit the exemptions to sewer only and exclude cost and pipe sizes from consideration. With Senate action expected next week it is important for municipalities with concerns about HB 628 to contact their Senators.

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## Increased Punishment for Wastewater Facility Trespassing on the Horizon

The Senate passed and sent the governor [SB 58 Protect Critical Infrastructure](#) for signing on Thursday. Notably, the bill enhances the punishment for trespassing on wastewater facilities owned by local governments involved in wastewater management, elevating it from a misdemeanor to a felony. This measure emphasizes the importance of safeguarding these facilities to protect public health and the environment. We thank the bill sponsors for their commitment to the well-being of municipalities in North Carolina by recognizing the need to deter unauthorized access and ensure the security of wastewater facilities.



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