

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS45256-MH-98

Short Title: Dam Safety Law Clarification. (Public)

Sponsors: Senator Hise (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE DAM SAFETY LAW TO ALLOW PHASED COMPLIANCE
3 WITH REQUIREMENTS OF THE LAW.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** G.S. 143-215.25 is amended by adding a new subdivision to read:

6 "(2a) Phased compliance eligible dam. – A dam that (i) is categorized as high hazard
7 by the Department, (ii) was constructed prior to January 1, 1968, and (iii) is
8 not owned by a unit of local government, special district, or public authority,
9 as those terms are defined in G.S. 159-7."

10 **SECTION 1.(b)** G.S. 143-215.27 is amended by adding a new subsection to read:

11 "(e) The Department shall not withhold approval of an application for repair or alteration
12 of a phased compliance eligible dam based solely on the fact that the repair or alteration will not
13 fully meet the requirements of the Dam Safety Law of 1967 (Law) and rules adopted to
14 implement the Law, provided the applicant meets all of the following conditions with respect to
15 its proposed repair or alteration project:

16 (1) The project will not increase the height or impoundment capacity of the dam.

17 (2) The project will not increase the risk to human life or property."

18 **SECTION 2.** This act is effective when it becomes law and applies to applications
19 for repair or alteration received by the Department on or after that date.

