

Agriculture and Wildlife

See full summary documents for additional detail

Agricultural Water Plan Update. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 1

Section 1 of S.L. 2026-11 (Senate Bill 401) directs Department of Agriculture and Consumer Services (DACS) to update the Strategic Plan for Protecting Agricultural Water Resources in North Carolina (Plan) to include information on water infrastructure needs, water conservation practices, cost share assistance needed for long term water storage capacity and conservation practices, and flooding mitigation practices and incentive programs.

DACS must submit a report to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources by January 1, 2027, on the development of the Plan and any legislative changes needed to implement the Plan.

This section became effective June 22, 2026.

Feral Swine Working Group. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 2

Section 2 of S.L. 2026-11 (Senate Bill 401) established a Feral Swine Working Group within the Wildlife Resources Commission (Commission) to develop a statewide plan to control feral swine damage on private and public lands. The Working Group must report annually to the Commission, the Senate and House Appropriations Subcommittees on Agriculture and Natural and Economic Resources, and the Fiscal Research Division on the results of the program during the preceding year.

The Commission must implement the plan. The Commission can enter into agreements with relevant federal and state agencies and other organizations to implement the plan.

This section became effective June 22, 2026.

Repeal Violation Points System for Swine Farms – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 4

Section 4 of S.L. 2026-11 (Senate Bill 401) repeals G.S. 143-215.6E, originally enacted in 1997, which directed the Environmental Management Commission (EMC) to develop a Violation Points System applicable to permits for animal waste management systems for swine farms. The Violation Points System was never developed.

The EMC has found that a Violation Points System that does not assess penalties based on fact-specific assessment factors set forth in G.S. 143-215.6A and G.S. 143B-282.1(b) would violate those statutes.

This section became effective June 22, 2026.

Swine Farm Siting Act Technical Correction. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 5

Section 5 of S.L. 2026-11 (Senate Bill 401) makes technical changes to Chapter 106 of the General Statutes to conform with a provision enacted in 2023. The technical changes clarify that a person who constructs or operates an animal waste management system must obtain a permit under the Animal Waste Management Systems Part (Part 1A) of Article 21 of Chapter 143 of the General Statutes.

This section became effective June 22, 2026.

Amend Eligibility Criteria for Animal Waste Fertilizer Conversion Cost-Share Eligibility. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 6

Section 6 of S.L. 2026-11 (Senate Bill 401) amends the definition of an "eligible entity" for a statewide cost-share program for deploying processes and technologies developed for conversion of animal waste to fertilizer to include any person converting sludge from an anaerobic lagoon or other liquid animal waste management system treating animal waste from a livestock operation into fertilizer products.

This section became effective June 22, 2026.

Require a Statewide Study on Shellfish Aquaculture Leasing and Current Moratorium on Shellfish Leasing – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 7

Section 7 of S.L. 2026-11 (Senate Bill 401), as amended by Section 3.18 of S.L. 2026-61 (House Bill 268), directs the North Carolina Collaboratory to study shellfish aquaculture regulations to ensure a balanced approach between economic development, environmental protection, and public access to coastal waters. In conducting the study, the Collaboratory must consult with the North Carolina Division of Marine Fisheries, the Marine Fisheries Commission, and other stakeholders, including shellfish growers, commercial and recreational fishermen, property owners, and coastal area local governments.

An interim report is due to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources by December 1, 2026, and a final report, including any recommendations for legislative or regulatory changes, is due by December 1, 2027.

Section 7 of S.L. 2026-11 section became effective June 22, 2026. Section 3.18 of S.L. 2026-61 became effective August 11, 2026.

Modify Requirements for Composting of Equine/Bovine Mortality – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 8

Section 8 of S.L. 2026-11 (Senate Bill 401) allows disposal systems for composting of equine and bovine mortality to be deemed permitted by Environmental Management Commission rule if they meet all the requirements currently in effect for composting facilities for animal mortality except for the requirement that the facilities be constructed on an impervious, weight-bearing foundation and operated under a roof.

This section became effective June 22, 2026.

Allow Excused School Absences for Equestrian Competitions and Other Agricultural Events. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 9

Section 9 of S.L. 2026-11 (Senate Bill 401), as amended by Section 7.54(a) of S.L. 2026-41 (Senate Bill 257), requires the State Board of Education (SBE) to adopt a rule requiring school officials to authorize at least two excused absences each academic year for participation in equestrian sporting events, livestock shows, or similar agricultural events. School officials must provide students with an opportunity to make up any tests or other academic work missed due to participation in equestrian sporting events, livestock shows, or similar agricultural events.

This section became effective June 22, 2026, and applies beginning with the 2026-2027 school year.

Add New Hanover and Pender as High Hazard Counties for Open Burning. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 10

Section 10 of S.L. 2026-11 (Senate Bill 401) adds New Hanover County and Pender County to the list of "high hazard counties" in which it is unlawful:

- For any person to willfully start or cause to be started any fire in or within 500 feet of any woodland under the protection of the Department of Agriculture and Consumer Services (DACS) without a permit from DACS.

- For any person to willfully burn debris, stumps, brush, or other flammable materials from ground clearing of five or more contiguous acres without a special permit from DACS. Regular permits are required for areas less than five acres.

This section became effective June 22, 2026.

Allow Pesticide Board To Adjust Annual Assessment for Registered Pesticides – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 11

Section 11 of S.L. 2026-11 (Senate Bill 401) allows the Pesticide Board, a receipt-supported board in the Department of Agriculture and Consumer Services, to set the amount of the annual assessment for each brand or grade of pesticide registered by an applicant, up to \$125 per assessment, by adopting a rule.

This section became effective June 22, 2026.

Liquid Petroleum Gas Enforcement Authority. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 12

Section 12 of S.L. 2026-11 (Senate Bill 401) supplements the Commissioner of Agriculture's liquified petroleum (LP) inspection authority by giving the Commissioner of Agriculture and the Commissioner's authorized agents the specific authority to:

- Access premises where LP products are stored to conduct an inspection or examine documentation.
- Issue stop-sale, hold, and removal orders for LP gas equipment that violates the statutes or rules governing LP gas.
- Recall for inspection a vehicle used for the delivery of LP gas.

This section became effective June 22, 2026.

Public Weighmaster Modernization – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 13

Section 13 of S.L. 2026-11 (Senate Bill 401) provides that a public weighmaster's license is valid for a year from the day the application is processed, increases the application fee to \$25, and eliminates the requirement that an official seal be obtained from the Department of Agriculture and Consumer Services for a fee. This section also prescribes the contents of a public weighmaster's official seal and allows a public weighmaster to use an electronic stamp with two alternatives for how the weighmaster's signature must be captured.

This section became effective June 22, 2026.

Direct Agriculture and Forestry Awareness Study on Low-Hanging Communication Lines. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 14

Section 14 of S.L. 2026-11 (Senate Bill 401) directs the Agriculture and Forestry Awareness Study Commission (Commission) to study communication lines that fall below minimum height requirements and create a public safety hazard. The Commission must seek input from numerous stakeholders, including the Office of Broadband Infrastructure, electric and telecommunications companies, agricultural organizations, and any other stakeholders the Commission deems necessary. The Commission must report its findings, including recommendations or proposed legislation, prior to the start of the 2027 Regular Session of the General Assembly.

This section became effective June 22, 2026.

Reduce Penalty for Certain Shellfish Aquaculture Violations. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 15

Section 15 of S.L. 2026-11 (Senate Bill 401) reduces the penalties for certain acts related to shellfish aquaculture operations, from Class A1 misdemeanors to the following penalties:

- A violation for an improperly marked shellfish lease area, a first offense would be a warning ticket, a second offense within a month would be an infraction, and a third offense within a month of the warning ticket would be a Class 3 misdemeanor.
- A violation for operating under an expired aquaculture operation permit that occurs within one month of the expiration of the permit would be a warning ticket.
- A violation for operating under an expired shellfish lease agreement that occurs within one month of the expiration of the agreement would be a warning ticket.

This section becomes effective December 1, 2026, and applies to offenses committed on or after that date.

Increase Penalty for a Second or Subsequent Offense for Larceny of Crops and for Robbing or Injuring Aquaculture Operations. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 16

Section 16 of S.L. 2026-11 (Senate Bill 401) increases the penalty for the theft of ungathered crops or the theft or injury of aquaculture resources as follows:

- Adds a fine of \$250 for a first offense and \$500 for a second or subsequent offense.
- From a Class H felony to a Class G felony for a second or subsequent offense.

A first offense for either crime would still be punishable by a Class H felony, in addition to the new \$250 fine.

This section becomes effective December 1, 2026, and applies to offenses committed on or after that date.

Add Certain Composting Facilities to the Definition of Agriculture. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 17

Section 17 of S.L. 2026-11 (Senate Bill 401) provides that the production, processing, storage, use, and sale of compost for agricultural, residential, or commercial purposes by a permitted Small or Large Type 1, Type 2, or Type 3 composting facility, defined by the Environmental Management Commission rules, is "agriculture" for purposes of the Building Code and county zoning exemptions.

This section of the act became effective June 22, 2026.

Propane Assessment Amendments – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 18

Section 18 of S.L. 2026-11 (Senate Bill 401) increases the amount of the propane assessment by the North Carolina Propane Education & Research Foundation (Foundation) that raises funds for the purposes of promoting the common good, welfare, and advancement of the propane industry, from \$.002 to \$.003 per gallon and increases the vote share required to approve the assessment from 50% to 75%. This section also allows the Foundation to use the proceeds of the assessment for workforce development.

The portion of the section pertaining to the amount and its approval becomes effective January 1, 2027, and applies to referenda conducted on or after that date. The remainder of the section became effective June 22, 2026.

Exempt Buildings Used for Production of Agricultural Products Derived from Animal Waste from Building Code and County Zoning – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 19

Section 19 of S.L. 2026-11 (Senate Bill 401) does all of the following:

- Provides that a building or structure used solely for the production of agricultural products and commodities derived from animal waste, including fertilizers and biogas, is a bona fide farm purpose exempt from county zoning.

- Reorganizes the existing uses specifically set out as bona fide farm purposes into an enumerated list.
- Exempts buildings used solely for the production of agricultural products and commodities derived from animal waste, including fertilizers and biogas, from the building code, provided the building:
 - Is surrounded and adjoined by open space of not less than 60 feet in width.
 - Has a posted reflective placard of at least 24 by 24 inches displaying "Ag. Exempt".

This section became effective July 1, 2026.

Modernize Shellfish and Aquaculture Statutes. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 20

Section 20 of S.L. 2026-11 (Senate Bill 401) defines the term "shellfish" and adds shellfish to the list of aquatic species that can be considered part of "aquaculture" for the purposes of the Aquaculture Development Act, which authorizes the Department of Agriculture and Consumer Services to regulate the production and sale of commercially raised freshwater fish and freshwater crustacean species.

This section became effective June 22, 2026.

Eliminate The Shellfish Cultivation Lease Review Committee. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 21

Section 21 of S.L. 2026-11 (Senate Bill 401) repeals the Shellfish Cultivation Lease Review Committee, allowing any person aggrieved by a decision regarding a shellfish cultivation lease to proceed directly to a contested case before the Office of Administrative Hearings.

This section became effective June 22, 2026, and applies to contested cases filed on or after that date. Any cases pending before the Shellfish Cultivation Lease Review Committee on June 22, 2026, can have been refiled as a contested case by filing a petition before the Office of Administrative Hearings by July 22, 2026.

Repeal Farmed Cervid Industry Promotion Act – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 22

Section 22 of S.L. 2026-11 (Senate Bill 401) repealed the Farmed Cervid Industry Promotion Act, which allowed the North Carolina Deer and Elk Farmers Association to impose an assessment of up to \$4.00 per ton of farmed cervid feed for promotion of the interests of the farmed cervid industry.

This section became effective June 22, 2026.

Adjust Timing of Refund Request Period for Grade "A" Dairy Assessment. – NC Farm Act of 2025-2026.

SL 2026-11 (S401), Sec. 23

Section 23 of S.L. 2026-11 (Senate Bill 401) changes the dates during which a refund can be requested from the North Carolina Dairy Producers Association for the assessment on Grade "A" Milk from December 15 – December 31 to January 15 – January 31 of each year. A refund requested between January 15, 2027 and January 31, 2027 would be for the period running from December 1, 2025 to December 31, 2026.

This section became effective June 22, 2026.

Commerce Nonprofits/Reporting Requirements – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 11.2

Section 11.2 of S.L. 2026-41 (Senate Bill 257) requires North Carolina Biotechnology Center, High Point Market Authority, and RTI International, for each year that State funds are expended, to provide reports by September 1 of each year, and more frequently if requested, to the chairs of the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources; the chairs of the House of Representatives Appropriations Committee on Agriculture and Natural and Economic Resources; the chairs of the Senate Appropriations Committee on Agriculture, Natural, and Economic Resources (collectively, the Committees); and to the Fiscal Research Division. These reports must include information regarding prior State fiscal year program activities, objectives, and accomplishments, and prior State fiscal year itemized expenditures and fund sources. The report must also include a list and description of grants awarded if State funds are used to provide matching funds for competitive grants. Each of these three entities must provide a copy of its annual audited financial statement within 30 days of issuance of that statement to the Committees.

This section became effective July 1, 2026.

Extend Shellfish Lease Moratorium in the New Hanover County Area – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 12.20

Section 12.20 of S.L. 2026-41 (Senate Bill 257) extends the moratorium on new shellfish cultivation leases and new water column leases for aquaculture for the New Hanover County area until July 1, 2028.

This section became effective June 30, 2026.

Great Trails Funds – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 14.10

Section 14.10 of S.L. 2026-41 (Senate Bill 257) modifies the Great Trails State Program established in 2023 to provide matching grants for eligible trail projects, by requiring that: (i) funded projects be located in the State; and (ii) wherever possible and appropriate, trail amenities and trail structures developed by eligible entities with funds allocated should follow standard designs and specifications for the State Trails Systems as the Department of Natural and Cultural Resources specifies.

This section became effective July 1, 2026.

Abandoned And Derelict Vessels. – 2026 Appropriations Act.

SL 2026-41 (S257), Sec. 15.1

Section 15.1 of S.L. 2026-41 (Senate Bill 257) directs that funds appropriated under the 2026 Appropriations Act to the Wildlife Resources Commission (WRC) for the removal of abandoned and derelict vessels must be used to contract with the Coastal Federation (Federation) to remove and dispose of abandoned and derelict vessels identified by the WRC. Prior to the removal and disposal of a vessel under this subsection, the WRC must (i) send written notice to the last known owner of the status of the vessel if an owner can be determined and (ii) post a notice on the vessel advising that the vessel is abandoned. If no response to the written notice to the owner or the notice posted on the vessel is received within 30 days indicating intent to recover while taking specific acts to remove the vessel, then the Federation can proceed with removal and disposal of the vessel. The Federation can remove and dispose of abandoned and derelict vessels on private property after receiving written permission from the property owner or an authorized representative of the property owner and following the other procedures set forth in this section. The Federation must prioritize the use of State funds for the removal of abandoned and derelict vessels located on public waters and lands.

The phrase "abandoned and derelict vessel" means an abandoned vessel, as defined in the Boating Safety Act, or a vessel, as defined in the Boating Safety Act, that is left for more than 30 days in one of the following states:

- In a wrecked, junked, or substantially damaged or dismantled condition upon any public waters and lands of the State.
- Docked, grounded, or beached upon the property of another without the consent of the owner of the property.

The section further provides that when a state of emergency has been declared, the WRC can act, authorize, or join in action with the Federation and with other agencies and contractors in the area subject to the declaration to immediately determine and abate any unsafe conditions or obstructions to navigation of abandoned and derelict vessels without following certain procedures.

An abandoned or derelict vessel, together with all cargo, tackle, and equipment, that remains unclaimed or has not been otherwise brought into compliance 30 days after notice is deemed forfeited and can be disposed of at any suitable solid waste facility permitted for such waste.

The WRC, any cooperating law enforcement agency, or any contractor or employee or agent of the WRC acting under authority granted by this section to remove, relocate, cause to be removed or relocated, or dispose of an abandoned or derelict vessel from waters of the State, public land, or private land are not liable in any claim or action seeking damages for any damage to an abandoned or derelict vessel resulting from such relocation, removal, or disposal unless the damage is a result of gross negligence or willful misconduct.

The Federation must report on the use of allocated funds to the Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources and the Fiscal Research Division on or before October 1, 2027. The report must include a description of the number, type, and approximate location of vessels removed and a summary of funding from other public and private sources obtained by the Federation for the program.

Further, the section:

- Makes a change to the Boating Account within the Wildlife Resources Fund to provide that the Wildlife Resources Commission must use ten percent (10%) of the revenue generated from issuance of each one-year and three-year certificate of number for vessels for the removal of abandoned and derelict vessels in a manner authorized by law.
- Increases various fees, based on vessel length, for certificates of number, as well as the fee for duplicate certificates of number.

The provisions concerning revisions to the boating account and fee increases for certificates of number become effective October 1, 2026, and apply to fees imposed for certificates of number and duplicate certificates issued on or after that date. The remainder of this section became effective July 1, 2026.

Confidentiality of Wildlife Resource Information – 2026 Wildlife Resources Changes.

SL 2026-43 (H747), Sec. 1

Section 1 of S.L. 2026-43 (House Bill 747) authorizes the Executive Director of the Wildlife Resources Commission to exempt records that contain site-specific information regarding the occurrence of certain rare species of plants or animals, or the location of sensitive habitats, from disclosure under the State's Public Records Law upon finding that disclosure would create a risk of harm, theft, or destruction to the species or habitat or the area where it is located. This section does not apply to a record requested by the landowner of the property where the rare species or sensitive habitat are located.

This section became effective July 7, 2026.

Authorize the Division of Motor Vehicles to Issue Lifetime Conservationist and Wildlife Resources License Plates – 2026 Wildlife Resources Changes.

SL 2026-43 (H747), Sec. 2

Section 2 of S.L. 2026-43 (House Bill 747) does the following:

- Authorizes the Division of Motor Vehicles (DMV) to produce a new Lifetime Conservationist special registration plate, to be a standard background plate with the Wildlife Resource Commission's (WRC) "North Carolina Lifetime Conservationist" logo. The special registration plate fee is \$30, with \$20 going to the Wildlife Resources Fund to be used by WRC.
- Authorizes the DMV to produce the Wildlife Resources special registration plate as a full-color background plate with a picture in the background representing a native wildlife species occurring in North Carolina. The development of the Wildlife Resources special registration plate is not subject to the minimum applications requirement nor the 60-day requirement for submitting final artwork.
- Makes a technical change to reflect that \$20 of the current \$30 charge for the sale of each Native Brook Trout special registration plate is transferred to the WRC for use to fund public access to and habitat protection of brook trout waters. The Native Brook Trout special registration plate was authorized by the General Assembly in S.L. 2013-376, which established a \$30 special registration plate fee.

This section becomes effective October 1, 2026.

Recreational Boating Safety Conforming Program Changes – 2026 Wildlife Resources Changes.

SL 2026-43 (H747), Sec. 3

Section 3 of S.L. 2026-43 (House Bill 747) does the following:

- Reduces the number of days that vessels registered out-of-State can be present in the waters of this State before having to register their vessel in North Carolina from 90 days to 60 days.
- Clarifies that every vessel operated in the waters of this State is required to comply with the federal Inland Navigation Rules, not just numbered or documented vessels.
- Provides that all personal watercrafts equipped by the manufacturer with an engine cut-off switch must keep the switch in use while the vessel is in operation.

This section becomes effective October 1, 2026. Prosecutions for offenses committed before October 1, 2026, are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Allow WRC to Issue Elk Permits by Raffle and Auction. – 2026 Wildlife Resources Changes.

SL 2026-43 (H747), Secs. 4-6

Section 4.(a) of S.L. 2026-43 (House Bill 747) directs the Wildlife Resources Commission (WRC) to issue two Elk Permits for the 2027 hunting season: one resident Elk Permit by raffle, and one Elk Permit by auction. Any elk taken must be reported and presented to WRC staff pursuant to the conditions of the permit issued. Permits issued under this act cannot be transferred, resold, or reassigned.

Section 4.(b) directs WRC to conduct the raffle for one resident Elk Permit issued for the 2027 hunting season. Raffle tickets will be sold for \$20 per ticket or a maximum of 30 raffle tickets for \$500. Purchasers of raffle tickets would be required to either have a valid hunting license or qualify for a license exemption. From the proceeds collected from the raffle, WRC is allowed to retain its actual costs of administering the raffle, up to 25% of the total proceeds collected. WRC must deposit the remaining proceeds in the Wildlife Resources Fund to be used for the conservation and management of elk.

Section 4.(c) directs WRC to select one nonprofit wildlife conservation organization involved in the reintroduction of elk into North Carolina to conduct an auction for one Elk Permit. The nonprofit wildlife conservation organization is allowed to retain no more than 25% of the proceeds of the auction for an Elk Permit. WRC must deposit the remaining proceeds in the Wildlife Resources Fund to be used for the conservation and management of elk.

Section 4.(d) allows WRC, based on its evaluation of its elk management goals, to continue issuing Elk Permits for future hunting seasons by way of raffle and auction in the same manner as provided in this bill for the 2026 hunting season, except that WRC would be allowed to raffle off more than one Elk Permit per year.

The following restrictions apply to future hunting seasons: (i) WRC is not allowed to issue an Elk Permit via auction without also issuing one or more through raffle; and (ii) WRC is required to reserve for North Carolina residents half of all Elk Permits made available via raffle.

Section 4.(e) states the intent of the General Assembly that the receipts generated by these raffles and auctions only supplement, rather than replace, other funds budgeted for elk management.

Section 4.(f) directs WRC to submit a report by March 1, 2028, on the effectiveness of the Elk Permit raffle and auction program to the House Wildlife Resources Committee, the Senate Agriculture, Energy, and Environment Committee, and the Fiscal Research Division. WRC must submit this report every year in which it conducts Elk Permit raffles and auctions.

Section 5 amends the definition of "Game Animals" to include elk.

Section 6 makes a conforming change to require hunters to wear hunter orange when hunting elk.

These sections became effective July 7, 2026.

NC Farmland and Military Protection Act.

SL 2026-54 (H133)

S.L. 2026-54 (House Bill 133) prohibits a prohibited foreign party from purchasing, acquiring, leasing, or holding any interest, except for a de minimus direct interest, in (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation.

Definitions – The following definitions apply to this Act:

- An "adversarial foreign government" is a nation that is prohibited by the federal government from importing or exporting defense items under the International Traffic Arms Regulations.
- A "prohibited foreign party" is any of the following, unless the entity is approved by the Committee on Foreign Investments in the United States:
 - An adversarial foreign government or a foreign government formed within an adversarial foreign government.
 - An entity or trust, other than a government, that is created or organized under the laws of a foreign government within an adversarial foreign government.
 - An entity or trust, other than a government, that meets certain criteria.
 - An agent, trustee, or other fiduciary of any entity in the above categories.

Land Held by a Prohibited Foreign Party Prior to April 1, 2027 – This Act allows a prohibited foreign party that holds any interest in either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation prior to April 1, 2027, to continue to hold those lands. However, a "prohibited foreign party" cannot acquire any new interest in such lands and must register with the Secretary of State. Failure to register is punishable by a civil penalty of at least \$1,000 per day, and any unpaid balance would constitute a lien against the land.

Land Acquired by a Prohibited Foreign Party After April 1, 2027 – A prohibited foreign party that acquires either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation after April 1, 2027, must divest itself of the land within one year of the acquisition. If the prohibited foreign entity fails to divest itself, the Attorney General must commence a receivership proceeding in the county where the property is situated seeking the appointment of a general receiver.

Affidavit Required – At a time no later than the time of closing, a buyer of either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation, must provide an affidavit, which would be attached as an exhibit to a deed, attesting that the buyer is not a prohibited foreign party and is in compliance with this Act. Failure to obtain or maintain the

affidavit would not affect the title or insurability of the title. A county's Register of Deeds must record affidavits as an exhibit to the deed.

Liability – No person, other than a prohibited foreign party, bears any civil or criminal liability for any of the following:

- Failing to determine or make inquiry of whether any entity is a prohibited foreign party.
- Failing to obtain, maintain, or otherwise comply with the affidavit requirement.

However, if a person knowingly sold either (i) agricultural land, or (ii) property that is within a 50-mile radius of a military installation to a prohibited foreign party, that person is guilty of a Class 2 misdemeanor.

Map – The North Carolina Real Estate Commission, in coordination with the Department of Military and Veterans Affairs, must develop and publish a map outlining the boundaries of certain military facilities by April 1, 2027, and maintain the map by annually publishing an updated version.

The requirement that the North Carolina Real Estate Commission develop and publish a map outlining the boundaries of certain military facilities by April 1, 2027, became effective July 7, 2026. Additionally, a severability clause and the effective date requirements for this Act became effective July 7, 2026.

The remainder of this Act becomes effective April 1, 2027.

Nuisance Immunity for Rural Recreational and Heritage Events. – Regulatory Reform Act of 2026.

SL 2026-59 (S445), Sec. 25

Section 25 of S.L. 2026-59 (Senate Bill 445) provides that a facility that regularly hosts or conducts rural recreational and heritage events, which include motorized and off-road vehicle competitions and horse and farm animal events, is not subject to nuisance or taking claims from surrounding property owners within three miles of the facility if the facility was lawfully established and had hosted at least one rural recreational and heritage event within the 24 months preceding the date the surrounding property owner bought the property or constructed a building on the property.

This section became effective August 11, 2026, and applies to actions commenced on or after that date.

Relief at the Pump.

SL 2026-62 (H3)

S.L. 2026-62 does the following:

- Effective October 10, 2026, immediately suspend through November 30, 2026, the motor fuel tax on all motor fuels, including gasoline, diesel, and alternative fuel. The Department of Revenue and the Department of Agriculture and Consumer Services must notify affected parties as soon as practicable.
- Require that the full benefit of the suspension be passed on to the ultimate purchaser of motor fuel. However, no retailer is required to reduce the price per gallon of motor fuel if the retailer's cost already includes the motor fuel tax because the tax accrued prior to the effective date of the suspension.
- Hold harmless the funds and accounts that would otherwise receive the motor fuel tax proceeds by directing the State Controller to transfer, on a monthly basis, those amounts from the Inflation Reserve.
- Effective October 9, 2026, through December 31, 2026, waive the enforcement of the civil and criminal penalties applicable to a person who uses dyed diesel fuel in a highway vehicle if the use is for farming or agricultural purposes. For purposes of this waiver, farming or agricultural purposes includes crop cultivation, livestock rearing, forestry, aquaculture, and related agribusiness activities. This waiver aligns with the civil penalty relief that the Governor directed the Department of Revenue to provide.
- For the period beginning October 1, 2026, through December 31, 2026, exempt from motor fuel tax the use of dyed diesel used to operate a highway vehicle by farmers, commercial loggers, commercial fishermen, and wildlife managers if those individuals have been issued a sales tax exemption certificate by the Department of Revenue.
- Direct the Secretary of Revenue to disregard the suspension of the motor fuel tax when setting the motor fuel tax rate that becomes effective on January 1, 2027, to the extent the rate is an adjustment of the rate from the preceding calendar year.

Except as otherwise provided, this act became effective October 9, 2026.