

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 1337

SHORT TITLE: Flood Hazard Prevention Act of 2000

SPONSOR(S): Odom

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2000-01</u>	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>
REVENUES					
EXPENDITURES					
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM (S) AFFECTED:	Crime Control and Public Safety Environmental and Natural Resources				
EFFECTIVE DATE:	All Sections effective when the bill becomes a law, except for Section 2, which becomes effective 7-1-01.				

BILL SUMMARY: Amends GS 143-215.51 to 143-215.62 to expand floodway regulation to cover the 100-year floodplain of all the State's streams and to prohibit structures and other artificial obstructions in the floodplain. Allows local government to adopt ordinances to regulate uses in flood hazard areas (defined as portion of the floodplain designated by a local government for DENR as area where development must be regulated to prevent damage from flooding); provides that lowest habitable floor of structure in 100-year floodplain must be constructed at least 2 feet above base flood elevation and prohibits salvage yards, chemical storage facilities, other facilities involving potentially large quantities of hazardous materials or solid waste from being located in 100-year floodplain. Allows local government to acquire existing structure in flood hazard areas if acquisition is necessary to prevent damage from flooding. Allows local government to use all remedies available for enforcement of zoning ordinances to enforce ordinance under flood hazard prevention statute. Provides that local government that has not adopted an ordinance for flood hazard prevention is not eligible for state disaster assistance.

Exempts structures existing before or for which building permit was issued before July 1, 2000 from elevated construction requirements.

ASSUMPTIONS AND METHODOLOGY:

The Department of Crime Control and Public Safety

DCCPS, Division of Emergency Management does not anticipate any fiscal impact as a result of this bill. The bill requires that primarily local government implement the floodplain management program. The responsibility for enforcing the local ordinance to prevent inappropriate development in the 100-year floodplain also lies with the local government. Local government must demonstrate adoption and implementation of an ordinance consistent with the requirements of this bill in order to be eligible for State grants and loans for infrastructure improvement and disaster assistance. Although this bill transfers the oversight role from the Environmental Management Commission in DENR to DCCPS, the role is limited to rule making authority and assisting in the delineation of flood hazard areas, which could be done by reference to the existing federal flood maps. This bill does not require additional State positions or appropriation.

TECHNICAL CONSIDERATIONS:

None

FISCAL RESEARCH DIVISION 733-4910

PREPARED BY: Kelly Little

APPROVED BY: James D. Johnson

DATE: June 5, 2000



Signed Copy Located in the NCGA Principal Clerk's Offices