

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 258*
Committee Substitute Favorable 3/13/19
Committee Substitute #2 Favorable 3/27/19
Committee Substitute #3 Favorable 5/6/19

Short Title: Expand Eligibility for Utility Account.

(Public)

Sponsors:

Referred to:

March 5, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND ELIGIBILITY FOR UTILITY ACCOUNT FUNDS.

3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 143B-437.01 reads as rewritten:

5 "§ 143B-437.01. Industrial Development Fund Utility Account.

6 (a) Creation and Purpose of Fund. – There is created in the Department of Commerce a
7 special account to be known as the Industrial Development Fund Utility Account ("Utility
8 Account") to provide funds to assist the local government units of the most economically
9 distressed counties in the State in creating jobs. The Department of Commerce shall adopt rules
10 providing for the administration of the program. Those rules shall include the following
11 provisions, which shall apply to each grant from the account:

12 (1) The funds shall be used for construction of or improvements to new or existing
13 water, sewer, gas, telecommunications, high-speed broadband, electrical
14 utility distribution lines or equipment, or transportation infrastructure for
15 existing or new or proposed buildings. To be eligible for funding, the water,
16 gas, telecommunications, high-speed broadband, electrical utility lines or
17 facilities, or transportation infrastructure shall be located on the site of the
18 building or, if not located on the site, shall be directly related to the operation
19 of the job creation activity. To be eligible for funding, the sewer infrastructure
20 shall be located on the site of the building or, if not located on the site, shall
21 be directly related to the operation of the job creation activity, even if the
22 sewer infrastructure is located in a county other than the county in which the
23 building is located.

24 ...

25 (8) Priority for the use of funds shall be as follows:

26 a. First priority shall be given to counties that are defined as a
27 development tier one or two area under G.S. 143B-437.08.

28 b. Second priority shall be given to rural census tracts in counties that are
29 defined as development tier three areas under G.S. 143B-437.08. For
30 purposes of this section, the term "rural census tract" means a census
31 tract having a population density of less than 500 people per square
32 mile according to the most recent decennial federal census.

33 (a1) Definitions. – The following definitions apply in this section:

34 ...



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1 (4) Economically distressed county. – A county ~~that is defined as a development~~
2 ~~tier one or two area under G.S. 143B-437.08, with total employment of less~~
3 ~~than 500,000. In measuring total employment, the Secretary shall use the latest~~
4 ~~available data published by the Quarterly Census of Employment and Wages~~
5 ~~program.~~

6"

7 **SECTION 2.** This act is effective when it becomes law.