

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 62  
Committee Substitute Favorable 3/12/25

Short Title: Farmers Protection Act.

(Public)

Sponsors:

Referred to:

February 6, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENACT THE FARMERS PROTECTION ACT TO PREVENT  
3 DISCRIMINATION IN FINANCING AGAINST FARMERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 6 of Chapter 53C of the General Statutes is amended by adding  
6 a new section to read:

7 "**§ 53C-6-21. Discrimination prohibited.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Agriculture producer. – A person engaged in the growing of crops or livestock  
10 production.

11 (2) ESG commitment. – A bank's decision either to join an initiative or  
12 organization that has a purpose of promoting any environmental, social, or  
13 political goal, or a bank's ongoing commitment to any environmental, social,  
14 or political goal.

15 (b) Prohibition. – It is unlawful for a bank to deny, restrict, or cancel its service to an  
16 agriculture producer based, in whole or in part, upon the agriculture producer's greenhouse gas  
17 emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

18 (c) ESG Commitment. – If a bank has any ESG commitment related to agriculture, there  
19 is a rebuttable presumption that the bank's denial, restriction, or cancellation of a service to an  
20 agriculture producer violates this section. A bank may overcome this rebuttable presumption by  
21 demonstrating, through a preponderance of the evidence, that its denial, restriction, or cancellation  
22 of a service was based solely on documented financial considerations rather than an ESG  
23 commitment.

24 (d) Enforcement. – If a bank violates this section, the Commissioner or agriculture  
25 producer may bring a civil action to seek an injunction or civil penalty. A court may assess a civil  
26 penalty of up to ten thousand dollars (\$10,000) per violation. The clear proceeds of a civil penalty  
27 assessed under this section shall be remitted to the Civil Penalty and Forfeiture Fund in  
28 accordance with G.S. 115C-457.2."

29 **SECTION 2.** G.S. 54B-78 reads as rewritten:

30 "**§ 54B-78. Prohibited practices.**

31 (a) ~~Any~~ A person or association ~~who shall engage that engages in any either~~ of the  
32 following acts or practices ~~shall be~~ is guilty of a Class 1 misdemeanor:

33 (1) Defamation: Making, publishing, disseminating, or circulating, directly or  
34 indirectly, or aiding, abetting, or encouraging the making, publishing,  
35 disseminating, or circulating ~~of~~ of, any oral, written, or printed statement  
36 ~~which~~ that is false regarding the financial condition of any association.



- 1 (2) False information and advertising: Making, publishing, disseminating, or  
2 circulating or causing, directly or indirectly, to be made published,  
3 disseminated, circulated, or otherwise placed before the public in any  
4 publication, media, notice, pamphlet, letter, poster, or any other way, an  
5 advertisement, announcement, or statement containing any assertion,  
6 representation, or statement with respect to the savings and loan business or  
7 with respect to any person in the conduct of the savings and loan business  
8 ~~which~~ ~~that~~ is untrue, deceptive, or misleading.

9 (b) The provisions of G.S. 53C-6-21 apply to a State association."

10 **SECTION 3.** G.S. 54C-64 reads as rewritten:

11 "**§ 54C-64. Prohibited practices.**

12 (a) A person ~~who~~ ~~that~~ engages in ~~any~~ ~~either~~ of the following acts or practices is guilty of  
13 a Class 1 misdemeanor:

14 (1) Defamation: Making, publishing, disseminating, or circulating, directly or  
15 indirectly, or aiding, abetting, or encouraging the making, publishing,  
16 disseminating, or circulating ~~of~~ ~~of~~, any oral, written, or printed statement that  
17 is false regarding the financial condition of any savings bank.

18 (2) False information and advertising: Making, publishing, disseminating,  
19 circulating, or otherwise placing before the public in any publication, media,  
20 notice, pamphlet, letter, poster, or any other way, an advertisement,  
21 announcement, or statement containing any assertion, representation, or  
22 statement with respect to the savings bank business or with respect to any  
23 person in the conduct of the savings bank business that is untrue, deceptive,  
24 or misleading.

25 (3) Repealed by Session Laws 1997-241, s. 2.

26 (b) The provisions of G.S. 53C-6-21 apply to a State savings bank."

27 **SECTION 4.** Article 14C of Chapter 54 of the General Statutes is amended by adding  
28 a new section to read:

29 "**§ 54-109.23. Discrimination prohibited.**

30 The provisions of G.S. 53C-6-21 apply to a credit union. The Administrator has the  
31 enforcement authority described in G.S. 53C-6-21(d)."

32 **SECTION 5.** This act is effective when it becomes law and applies to acts committed  
33 on or after that date.