

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 66

Short Title: Expand Eligibility for Utility Account. (Public)

Sponsors: Representatives Boles and McNeill (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Commerce, if favorable, Rules, Calendar, and Operations of the House

February 11, 2021

A BILL TO BE ENTITLED
AN ACT TO EXPAND ELIGIBILITY FOR UTILITY ACCOUNT FUNDS.
The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

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