



# Topsail Island Shoreline Protection Commission

Legislative Report  
May 2, 2025

The legislature moved at a rapid pace this week as the May 8 crossover deadline approaches. The House held four Rules Committee meetings between Monday evening and Thursday morning—an unprecedented level of activity so far this session. Both chambers considered a substantial number of bills in committee and on the floor. Crossover is the self-imposed deadline by which most bills must pass one chamber to remain eligible for consideration this session. Exceptions include bills containing appropriations or fees, as well as those related to appointments or adjournment. Next week is expected to be just as busy, if not more so.

House budget subcommittee chairs also began meeting this week to review the Senate-passed budget and begin crafting the House's spending priorities. Meetings between subcommittee chairs and senior House budget leaders are expected to continue next week, with a goal of passing the House version of the budget by Memorial Day.

The House and Senate adjourned Thursday and will reconvene Monday, May 5, 2025.

## BILL STATUS UPDATES

**House Bill 441, Loggerhead Turtle/State Saltwater Reptile,** was reported favorable in the House Wildlife Resources Committee and referred to the House Committee on State and Local Government. It is scheduled to be heard on 5-6-25.

**House Bill 442, Restore Flounder/Red Snapper Season,** was reported favorable on the committee substitute in the House Wildlife Resources Committee and referred to the House Committee on State and Local Government. It is scheduled to be heard on 5-6-25. The House committee substitute makes the following changes: it updates the bill's language by replacing references to "summer flounder" with "flounder" throughout. It also extends the recreational fishing season for both flounder and red snapper, changing the end date from July 31st to November 15th. Additionally, the bill's long title is amended to reflect these updates.

**House Bill 569, PFAS Pollution and Polluter Liability,** was referred to the House Judiciary 1 Committee.

**House Bill 570, Responsible Firefighting Foam Management Act,** passed the full House 113-0 and referred to the Senate Rules Committee.

**House Bill 841, Shellfish Leasing Study,** was reported favorable in the House Committee on Wildlife Resources and the House Agriculture and Environment and referred to the House Rules Committee. The bill will be heard in committee on Monday, May 5.

**House Bill 850, Interbasin Transfer Moratorium/Study**, was reported favorable in the House Regulatory Reform Committee and referred to the House Rules Committee. It is scheduled to be heard on Monday, May 5.

**House Bill 870, Sedimentation Act & Other Env.'l Changes**, was reported favorable on the committee substitute in House Agriculture and Environment Committee and referred to the House Rules Committee. It is scheduled to be heard on Monday, May 5.

The House committee substitute makes technical updates to reporting and submission requirements:

- In Sections 2 and 3, it changes the report recipient from the Environmental Policy Council to the Environmental Review Commission.
- In Section 4, it updates the designated legislative committee for receiving required Clean Water Act agreements from the House Local Government – Land Use, Planning and Development Committee to the House Housing and Development Committee.

**House Bill 873, DEQ Agency Bill.-AB**, was reported favorable on the committee substitute in House Agriculture and Environment Committee and referred to the House Finance Committee.

**Senate Bill 257, 2025 Appropriations Act**, was referred to the House Appropriations Committee.

**Senate Bill 266, Historic Flood Event Bldg. Code Exemption**, was reported favorable in the Senate Committee on Commerce and Insurance and referred to the Senate Rules Committee.

**Senate Bill 605, IBT Subbasin/TMDL Transport Factor**, will be heard in the Senate Agriculture, Energy, and Environment Committee on 5-6-25.

**Senate Bill 639, North Carolina Farm Act of 2025**, was reported favorable on the committee substitute in Senate Agriculture, Energy, and Environment Committee and referred to the Senate Judiciary Committee. It is scheduled to be heard on 5-6-25.

The Senate committee substitute makes a series of targeted revisions to agricultural, land use, environmental, and regulatory provisions. The major changes include:

**Section 2 – Feral Swine Working Group**

- Increases membership from 9 to 10 by adding a representative from the NC Forestry Association.

**Section 3 – Land Use & Agricultural Disclosures**

- Removes a proposed buffer requirement between residential subdivisions and protected farm tracts.
- Replaces it with a new disclosure rule, requiring the NC Real Estate Commission to include in its standard disclosure form a notice if a Voluntary Agricultural District (VAD) exists within ½ mile of the property.

**Section 4 – Special Use Permits**

- Allows local governments to deny special use permits based on negative (not “undue”) impacts to agricultural production, but only if the property is owned by a business entity for less than 3 years.
- Prohibits such denial if the primary use is residential construction under the NC Residential Code.

**Section 9 – Disposal Systems & Composting**

- Updates the EMC rule (15A NCAC 02T .0113) to allow disposal systems used for equine or bovine composting to be deemed permitted, if:
  - Approved by DACS for construction and operation.
  - Approved by the State Veterinarian.

#### **Section 12 – Pesticide Fee Cap**

- Caps the annual pesticide assessment fee at \$125, as set by the Pesticide Board.

#### **Section 16 – Shellfish Aquaculture Enforcement**

- Revises penalties for violations:
  - Improperly marked areas:
    - 1st offense = warning
    - 2nd (within 1 month) = infraction
    - 3rd (within 1 month) = Class 3 misdemeanor
  - Expired aquaculture permit or lease:
    - If within 1 month of expiration = warning
  - Changes effective date to December 1, 2025 (from July 1).

#### **Section 19 – Pesticide Labeling Liability**

- Presumes that manufacturers or sellers have met their duty to warn if the pesticide:
  - Bears a US EPA-approved label, and
  - Is registered with the NC Pesticide Board
- The presumption can be rebutted in court.

#### **Section 20 – Raw Milk Restrictions**

- Repeals provisions that previously allowed cow-share or herd-share agreements for the legal acquisition or dispensing of raw milk for personal use.
- Effective July 1, 2025.

#### **Section 21 – Composting as Agriculture**

- Adds composting activities to the legal definition of “agriculture” under G.S. 106-581.1, allowing them to be regulated and protected similarly.
- Defines “compost” as a product from controlled aerobic decomposition of plant, animal, or food waste that aids plant growth and reduces pathogens.

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For more information about legislation described in the legislative reports, feel free to contact us at [chorton@maynardnexsen.com](mailto:chorton@maynardnexsen.com), [dferrell@maynardnexsen.com](mailto:dferrell@maynardnexsen.com), [criemer@maynardnexsen.com](mailto:criemer@maynardnexsen.com) or at (919) 573-7421. Information is also available on the General Assembly’s website: [www.ncleg.gov](http://www.ncleg.gov).

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