

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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(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.~~

...."

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