

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35260-MQa-109A

Short Title: Create Dept. of Housing and Comm. Development. (Public)

Sponsors: Senators Garrett, Batch, and Crawford (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE NORTH CAROLINA DEPARTMENT OF HOUSING AND
3 COMMUNITY DEVELOPMENT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** The Department of Housing and Community Development is
6 established in this Part as a single, unified cabinet-level department. The following divisions and
7 offices are hereby established within the Department of Housing and Community Development:

- 8 (1) Division of Operations.
9 (2) Division of Community Development.
10 (3) Division of Housing.
11 (4) Policy and Legislative Office.

12 **SECTION 1.(b)** G.S. 143B-2 reads as rewritten:

13 **"§ 143B-2. Interim applicability of the Executive Organization Act of 1973.**

14 The Executive Organization Act of 1973 shall be applicable only to the following named
15 departments:

16 ...

17 (12) Department of Housing and Community Development."

18 **SECTION 1.(c)** G.S. 143B-6 reads as rewritten:

19 **"§ 143B-6. Principal departments.**

20 In addition to the principal departments enumerated in the Executive Organization Act of
21 1971, all executive and administrative powers, duties, and functions not including those of the
22 General Assembly and its agencies, the General Court of Justice and the administrative agencies
23 created pursuant to Article IV of the Constitution of North Carolina, and higher education
24 previously vested by law in the several State agencies, are vested in the following principal
25 departments:

26 ...

27 (14) Department of Housing and Community Development."

28 **SECTION 1.(d)** G.S. 126-5(d)(1) reads as rewritten:

29 "(d) (1) Exempt Positions in Cabinet Department. – Subject to the provisions of this
30 Chapter, which is known as the North Carolina Human Resources Act, the
31 Governor may designate a total of 425 exempt positions throughout the
32 following departments and offices:

33 ...

34 o. Department of Housing and Community Development."

35 **SECTION 2.** Chapter 143B of the General Statutes is amended by adding a new
36 Article to read:



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1 "Article 16.

2 "Department of Housing and Community Development.

3 **"§ 143B-1450. Organization; mission.**

4 (a) There is established the Department of Housing and Community Development. The
5 Department shall perform all functions of the executive branch of the State in relation to housing
6 and community development. The Department shall have the following internal structure:

7 (1) Division of Operations. – Provides operations and fiscal services for the
8 Department.

9 (2) Division of Community Development. – Develops and implements plans for
10 community revitalization and for expansion of broadband access.

11 (3) Division of Housing. – Develops and implements plans for housing
12 production and preservation, homeless and special needs housing, housing
13 policy, and natural disaster resilience.

14 (4) Policy and Legislative Office. – Serves as the interagency liaison between the
15 Department and the General Assembly as well as other federal, State, and
16 local entities.

17 (b) The Department's mission consists of the following:

18 (1) Partner with communities in this State to develop economic potential of
19 communities and residents.

20 (2) Provide training and certification for building officials.

21 (3) Invest in housing and community development projects in this State to assist
22 low- to moderate-income residents.

23 **"§ 143B-1452. Powers and duties of the Secretary.**

24 The head of the Department is the Secretary of the Department of Housing and Community
25 Development. The Secretary shall have the powers and duties as are conferred on the Secretary
26 by this Article, delegated to the Secretary by the Governor, and conferred on the Secretary by the
27 Constitution and laws of this State. The Secretary is authorized to adopt rules and procedures for
28 the implementation of this Article.

29 **"§ 143B-1454. Board of Housing and Community Development; terms.**

30 (a) There is established the North Carolina Board of Housing and Community
31 Development to advise the Secretary and to assist in the mission of the Department. The Board
32 shall consist of the Secretary, who shall be an ex officio member and shall serve as chair, and
33 nine other members appointed as follows:

34 (1) Five members appointed by the Governor.

35 (2) Two members appointed by the President Pro Tempore of the Senate.

36 (3) Two members appointed by the Speaker of the House of Representatives.

37 (b) The term of office for members of the Board shall be two years and until a member's
38 successor has been duly appointed. Vacancies in the Board shall be filled by the appropriate
39 appointing authority. Legislative appointments shall be made in accordance with G.S. 120-121.
40 A vacancy in a legislative appointment shall be filled in accordance with G.S. 120-122."

41 **SECTION 3.(a)** There is appropriated from the General Fund to the Department of
42 Housing and Community Development, established in this act, the sum of twenty-five million
43 dollars (\$25,000,000) in recurring funds for the 2021-2022 fiscal year.

44 **SECTION 3.(b)** This section becomes effective July 1, 2021.

45 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
46 law.