



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 40: Clarify Reservation of Water and Sewer Capacity for Proposed Charter School Facilities

Committee:
Introduced by:
Analysis of: Sec. 40 of S.L. 2023-137

Date: December 11, 2023
Prepared by: Kyle Evans
Staff Attorney

OVERVIEW: *Section 40 clarifies that charter schools' eligibility for reservation of sewer capacity is identical to public schools' eligibility for reservation of sewer capacity established in 2021.*

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

CURRENT LAW & BILL ANALYSIS:

In 2021, the General Assembly enacted a statute authorizing a local board of education to reserve water and sewer capacity for construction of a proposed public school for a period of 24 months, if the applicable public water or sewer provider had capacity. The statute ([G.S. 115C-521\(i\)](#)) was made applicable to charter schools through a cross-reference elsewhere in the statutes ([G.S. 115C-218.35\(e\)](#)).

Section 40 creates a new statute for charter schools, substantially identical to the statute enacted for public schools in 2021, and deletes the cross-referenced statute, to clarify charter schools' eligibility for reservation of sewer capacity established in 2021.

EFFECTIVE DATE: This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578