



CHAPTER 166A

ARTICLE 1A - NORTH CAROLINA EMERGENCY MANAGEMENT ACT

N.C.G.S. § 166A-19.3.

Definitions.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2023-137, s. 39(a) — seventeenth act in the lineage	21 September 2026, 03:37 UTC	b8e11a57214d45c5b1dc2758 - 0b13be8335e99d294634d1fa - 397bf3be0b06e943

The following definitions apply in this Article:

Repealed by Session Laws 2015-241, s. 6.19(c), effective July 1, 2015.

Chair of the board of county commissioners. - The chair of the board of county commissioners or, in case of the chair's absence or disability, the person authorized to act in the chair's stead. Unless the governing body of the county has specified who is to act in lieu of the chair with respect to a particular power or duty set out in this Article, this term shall mean the person generally authorized to act in lieu of the chair.

Concurrence of the Council of State. - The consensus, within 48 hours of contact, of a majority of the Council of State prior to the Governor exercising a power or authority requiring a concurrence of the Council of State. The Governor shall document the contact and response of each Council of State member and shall release the concurrence, nonconcurrence, or no response provided by each member by name and position on the same website in which the executive order is published. If consensus is achieved, the release of the information by the Governor shall be prior to, or simultaneously with, exercising the stated authority. Any failure to respond to the Governor within the 48 hours of contact shall be deemed a concurrence by the member of the Council of State failing to respond. All documentation of the contact and response of each member of the Council of State shall be a public record.

Council of State. - The Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor, Commissioner of Insurance, or any interim officer or acting officer appointed in accordance with Section 7 of Article III of the State Constitution.

Disaster declaration. - A gubernatorial declaration that the impact or anticipated impact of an emergency constitutes a disaster of one of the types enumerated in G.S. 166A-19.21(b).

Division. - The Division of Emergency Management established in Subpart A of Part 5 of Article 13 of Chapter 143B of the General Statutes.

Eligible entity. - Any political subdivision. The term also includes an owner or operator of a private nonprofit utility that meets the eligibility criteria set out in this Article.

Emergency. - An occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, terrorism, weather-related, public health, explosion-related, riot-related cause, or technological failure or accident, including, but not limited to, a cyber incident, an explosion, a transportation accident, a radiological accident, or a chemical or other hazardous material incident. An emergency may also be caused by a disruption in the supply chain that creates a significant threat to a local government's ability to acquire products or services required to provide essential services such as electricity and water to the populace or required to restore such essential services in the event of widespread or severe damage to the local government system used to provide such essential services.

Emergency area. - The geographical area covered by a state of emergency.

Emergency management. - Those measures taken by the populace and governments at federal, State, and local levels to minimize the adverse effect of any type emergency, which includes the never-ending preparedness cycle of planning, prevention, mitigation, warning, movement, shelter, emergency assistance, and recovery.

Emergency management agency. - A State or local governmental agency charged with coordination of all emergency management activities for its jurisdiction.

Hazard risk management. - The systematic application of policies, practices, and resources to the identification, assessment, and control of risk associated with hazards affecting human health and safety and property. Hazard, risk, and cost-benefit analysis are used to support development of risk reduction options, program objectives, and prioritization of issues and resources.

Mayor. - The mayor or other chief executive official of a municipality or, in case of that person's absence or disability, the person authorized to act in that person's stead. Unless the governing body of the municipality has specified who is to act in lieu of the mayor with respect to a particular power or duty set out in this Article, the term shall mean the person generally authorized to act in lieu of the mayor.

Political subdivision. - Counties and incorporated cities, towns, and villages.

Preliminary damage assessment. - The initial estimate prepared by State, local, or federal emergency management workers used to determine the severity and magnitude of damage caused by an emergency.

Private nonprofit utility. - A utility that would be eligible for federal public assistance disaster funds pursuant to 44 C.F.R. Part 206.

Secretary. - The Secretary of the Department of Public Safety.

Stafford Act. - The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288, 88 Stat. 143, codified generally at 42 U.S.C. § 5121, et seq., as amended.

State Acquisition and Relocation Fund. - State funding for supplemental grants to homeowners participating in a federal Hazard Mitigation Grant Program Acquisition and Relocation Program. These grants are used to acquire safe, decent, and sanitary housing by paying the difference between the cost of the home acquired under the federal Hazard Mitigation Grant Program Acquisition and Relocation Program and the cost of a comparable home located outside the 100-year floodplain.

State Emergency Response and Disaster Relief Fund. - The fund established in G.S. 166A-19.42.

State Emergency Response Team. - The representative group of State agency personnel designated to carry out the emergency management support functions identified in the North Carolina Emergency Operations Plan. The State Emergency Response Team leader shall be the Director of the Division, who shall have authority to manage the Team pursuant to G.S. 166A-19.12(1), as delegated by the Governor. The Team shall consist of the following State agencies:

- a. Department of Public Safety.
- b. Department of Transportation.
- c. Department of Health and Human Services.
- d. Department of Environmental Quality.
- e. Department of Agriculture and Consumer Services.
- f. Any other agency identified in the North Carolina Emergency Operations Plan.

State of emergency. - A finding and declaration by any of the following authorities that an emergency exists:

- a. The Governor, acting under the authority of G.S. 166A-19.20.
- b. The General Assembly, acting under the authority of G.S. 166A-19.20.
- c. The governing body of a municipality or the mayor of a municipality, acting under the authority of G.S. 166A-19.22.
- d. The governing body of a county or the chair of the board of commissioners of a county, acting under the authority of G.S. 166A-19.22.

Statewide emergency area. - Any emergency area applicable to two-thirds or more of the counties in this State.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
17 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1951

1987

2023

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1951	c. 1016, s. 2	ENACTED
02	1953	c. 1099, s. 1	AMENDED
03	1955	c. 387, s. 1	AMENDED
04	1975	c. 734, ss. 4-6, 14	AMENDED
05	1977	c. 848, s. 2	AMENDED
06	1979	2nd Sess., c. 1310, s. 2	AMENDED
07	1995	c. 509, s. 123	AMENDED
08	2001	S.L. 2001-214, s. 1	AMENDED
09	2006	S.L. 2006-66, ss. 6.5(c), (d)	AMENDED
10	2009	S.L. 2009-193, ss. 1, 2	AMENDED
11	2009	S.L. 2009-397, s. 2	AMENDED
12	2012	S.L. 2012-12, s. 1(b)	AMENDED
13	2012	S.L. 2012-90, s. 10	AMENDED
14	2015	S.L. 2015-241, ss. 6.19(c), 14.30(u)	AMENDED
15	2016	S.L. 2016-87, s. 5	AMENDED
16	2021	S.L. 2021-180, s. 19E.6(a)	AMENDED
17	2023	S.L. 2023-137, s. 39(a)	AMENDED

APPARATUS II
5 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 166A-19.21(b)	(null)(3)	"one of the types enumerated in"
G.S. 166A-19.42	(null)(17a)	"Fund. - The fund established in"
G.S. 166A-19.12(1)	(null)(18)	"to manage the Team pursuant to"
G.S. 166A-19.20		"Governor, acting under the authority of"
G.S. 166A-19.22		"municipality, acting under the authority of"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 166A-19.3 (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1951, c. 1016, s. 2; 1953, c. 1099, s. 1; 1955, c. 387, s. 1; 1975, c. 734, ss. 4-6, 14; 1977, c. 848, s. 2; 1979, 2nd Sess., c. 1310, s. 2; 1995, c. 509, s. 123; 2001-214, s. 1; 2006-66, ss. 6.5(c), (d); 2009-193, ss. 1, 2; 2009-397, s. 2; 2012-12, s. 1(b); 2012-90, s. 10; 2015-241, ss. 6.19(c), 14.30(u); 2016-87, s. 5; 2021-180, s. 19E.6(a); 2023-137, s. 39(a).)

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