

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 1086
May 10, 2016
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH30487-MDa-115 (01/19)

Short Title: Refugee Resettlement Act of 2016. (Public)

Sponsors: Representatives Whitmire, Hager, Cleveland, and Torbett (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ALLOW LOCAL GOVERNMENTS TO REQUEST A MORATORIUM ON REFUGEE RESETTLEMENT ACTIVITIES; TO REQUIRE LOCAL GOVERNMENTS TO HOLD A PUBLIC HEARING PRIOR TO NOTIFYING THE NORTH CAROLINA REFUGEE ASSISTANCE PROGRAM OF ITS AVAILABLE CAPACITY TO SETTLE ADDITIONAL REFUGEES; AND TO PROHIBIT LOCAL GOVERNMENTS FROM REQUESTING THE SETTLEMENT OF ADDITIONAL REFUGEES WITHIN THEIR JURISDICTION UNTIL THEY HAVE DOCUMENTED THAT THEY HAVE THE CAPACITY TO SETTLE ADDITIONAL REFUGEES AND HAVE HELD A PUBLIC HEARING ON REFUGEE RESETTLEMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 64 of the General Statutes is amended by adding a new Article to read:

"Article 3.

"Refugee Resettlement.

"§ 64-50. Definitions.

The following definitions apply in this Article:

- (1) Capacity to settle additional refugees. – The ability of a local government to accommodate the settlement of additional refugees after considering all of the following factors:
 - a. The ability of the community's social service and healthcare agencies to meet the existing needs of the community's current residents.
 - b. The availability of affordable housing, low-income housing, or both, and existing waiting lists for that housing in the community.
 - c. The ability of the local school administrative unit to meet the needs of the existing or anticipated refugee student population.
 - d. The ability of the local economy to absorb new workers without causing competition with local residents for job opportunities, displacing existing local workers, or adversely affecting the wages or working conditions of the local workforce.
- (2) Local government. – A county or city.
- (3) North Carolina Refugee Assistance Program. – the North Carolina Refugee Assistance Program of the Division of Social Services of the Department of Health and Human Services.
- (4) Refugee. – As defined in the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(42).



* D R H 3 0 4 8 7 - M D A - 1 1 5 *

"§ 64-51. Request for moratorium on refugee resettlement activities.

(a) Request for Moratorium. – The governing body of a local government may request a moratorium on the settlement of additional refugees in the applicable county or city through adoption of a resolution that does all of the following:

- (1) Requests a moratorium on the settlement of additional refugees.
- (2) Documents that the local government lacks capacity to settle additional refugees.
- (3) Documents that further resettlement of refugees in the county or city would result in an adverse impact to existing residents.

(b) Transmission of Moratorium to Federal Government. – A local government that adopts a resolution pursuant to subsection (a) of this section shall forward a copy of the resolution to the North Carolina Refugee Assistance Program. The North Carolina Refugee Assistance Program shall accept and forward a copy of the resolution to the United States Department of State. The United States Department of State may thereafter suspend the resettlement of additional refugees in that local government until the North Carolina Refugee Assistance Program and the local government jointly determine that capacity to settle additional refugees exists, as described in subsection (c) of this section.

(c) Lifting of Moratorium. – The North Carolina Refugee Assistance Program and a local government that has adopted a resolution pursuant to subsection (a) of this section may jointly request the suspension of a moratorium if all of the following conditions are satisfied:

- (1) The local government does all of the following:
 - a. Holds a public hearing on refugee resettlement. Notice of the public hearing shall state the date, hour, and place of the hearing, and its subject, and shall be published in a newspaper having general circulation in the area not less than seven days before the date set for the hearing.
 - b. Adopts a resolution requesting a lifting of the moratorium requested by the resolution adopted pursuant to subsection (a) of this section and finding that the local government has sufficient capacity to settle additional refugees. The resolution shall not be adopted until after the hearing required by sub-subdivision a. of this subdivision has been held.
 - c. Forwards a copy of the resolution adopted pursuant to sub-subdivision a. of this subdivision to the North Carolina Refugee Assistance Program.
- (2) The head of the North Carolina Refugee Assistance Program does all of the following:
 - a. Agrees that the local government possesses capacity to settle additional refugees.
 - b. Forwards the resolution adopted by the local government pursuant to sub-subdivision (c)(1)b. of this section to the United States Department of State.

"§ 64-52. Resolutions in support of settlement of additional refugees.

The governing body of a local government shall not request the settlement of additional refugees in the applicable county or city until it documents its capacity to settle additional refugees and holds a public hearing on refugee resettlement. Notice of the public hearing shall state the date, hour, and place of the hearing, and its subject, and shall be published in a newspaper having general circulation in the area not less than seven days before the date set for the hearing."

SECTION 2. There is appropriated from the General Fund to the North Carolina Refugee Assistance Program of the Division of Social Services of the Department of Health and Human Services the sum of fifty thousand dollars (\$50,000) to pay for the costs of administering this act.

1

SECTION 3. This act is effective when it becomes law.