

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 1086

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

Sponsors: Representatives Whitmire, Hager, Cleveland, and Torbett (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary II, if favorable, Appropriations

May 11, 2016

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.



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1           (4) Refugee. – As defined in the Immigration and Nationality Act, 8 U.S.C. §  
2           1101(a)(42).

3 **"§ 64-51. Request for moratorium on refugee resettlement activities.**

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

7           (1) Requests a moratorium on the settlement of additional refugees.

8           (2) Documents that the local government lacks capacity to settle additional  
9 refugees.

10          (3) Documents that further resettlement of refugees in the county or city would  
11 result in an adverse impact to existing residents.

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

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

23          (1) The local government does all of the following:

24           a. Holds a public hearing on refugee resettlement. Notice of the public  
25 hearing shall state the date, hour, and place of the hearing, and its  
26 subject, and shall be published in a newspaper having general  
27 circulation in the area not less than seven days before the date set for the  
28 hearing.

29           b. Adopts a resolution requesting a lifting of the moratorium requested by  
30 the resolution adopted pursuant to subsection (a) of this section and  
31 finding that the local government has sufficient capacity to settle  
32 additional refugees. The resolution shall not be adopted until after the  
33 hearing required by sub-subdivision a. of this subdivision has been held.

34           c. Forwards a copy of the resolution adopted pursuant to sub-subdivision  
35 a. of this subdivision to the North Carolina Refugee Assistance  
36 Program.

37          (2) The head of the North Carolina Refugee Assistance Program does all of the  
38 following:

39           a. Agrees that the local government possesses capacity to settle additional  
40 refugees.

41           b. Forwards the resolution adopted by the local government pursuant to  
42 sub-subdivision (c)(1)b. of this section to the United States Department  
43 of State.

44 **"§ 64-52. Resolutions in support of settlement of additional refugees.**

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

50          **SECTION 2.** There is appropriated from the General Fund to the North Carolina  
51 Refugee Assistance Program of the Division of Social Services of the Department of Health and

1 Human Services the sum of fifty thousand dollars (\$50,000) to pay for the costs of administering  
2 this act.

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