

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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SENATE BILL 95

Short Title: Promote NC Sawmills. (Public)

Sponsors: Senators Hanig and Moffitt (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 17, 2025

A BILL TO BE ENTITLED
AN ACT TO PROMOTE LOCAL SAWMILLS BY ALLOWING THE USE OF UNGRADED
LUMBER IN CERTAIN CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Definitions. – For purposes of this section, the following definitions apply:

- (1) Dimension lumber. – Lumber that has not been grade-stamped under the authority of a lumber grading bureau.
- (2) Small mill. – A sawmill that mills less than 1,000,000 board feet of lumber per year.

SECTION 1.(b) The North Carolina Residential Code Council shall amend the North Carolina Residential Code in order to permit dimension lumber that has not been grade-stamped under the authority of a lumber grading bureau to be used in the construction of one- and two-family dwellings, when that use meets all of the following requirements:

- (1) The lumber is sold directly by the owner or employee of the sawmill that milled the lumber to the owner of the dwelling to be constructed or that person's authorized representative.
- (2) The dimension lumber meets or exceeds the requirements of the North Carolina Residential Code other than the requirements that only grade-stamped lumber be used in residential construction.
- (3) The operator of the sawmill has a certificate from a state-approved lumber grading training program, certifies that the lumber conforms with product and inspection standards under American Softwood Lumber Standard PS20, and marks the lumber with (i) the mill number, name, or abbreviation, (ii) the species or combination of species of the lumber, (iii) whether the lumber was dry or green when manufactured as required by American Softwood Lumber Standard PS20, and (iv) whether the lumber conforms with PS20 standards.
- (4) The appropriate code enforcement official reviews the framing of the dwelling to ensure that it meets the requirements of the North Carolina Residential Code in all respects other than the requirements that only grade-stamped lumber be used in residential construction. The code enforcement official shall not be liable for any structural failure that occurs as a result of the use of dimension lumber rather than grade-stamped lumber.
- (5) The sawmill provides to the purchaser a certificate containing all of the following information:



- 1 a. A statement of the species of wood, quantity milled, and address where
- 2 the lumber will be used.
- 3 b. The name of the sawmill operator certified pursuant to G.S. 143-138.2
- 4 who milled the lumber.
- 5 c. A certification that the lumber meets or exceeds the requirements of
- 6 the North Carolina Residential Code with the exception that it has not
- 7 been grade-stamped by an accredited lumber grading bureau.
- 8 d. The date of sale of the lumber.

9 **SECTION 1.(c)** The North Carolina Residential Code Council shall amend the North
10 Carolina Residential Code and the North Carolina Building Code Council shall amend the North
11 Carolina Building Code in order to permit dimension lumber that has not been grade-stamped
12 under the authority of a lumber grading bureau to be used in the construction of one- and
13 two-family dwellings and structures classified as Residential Group R-2 or R-3, when that use
14 meets all of the following requirements:

- 15 (1) The lumber is sold directly by the owner or employee of a small mill or a
- 16 mobile sawmill that milled the lumber to the owner of the structure to be
- 17 constructed or that person's authorized representative.
- 18 (2) The dimension lumber meets or exceeds the requirements of the North
- 19 Carolina Residential Code or the North Carolina Building Code, as applicable,
- 20 other than the requirements that only grade-stamped lumber be used in
- 21 residential construction.
- 22 (3) The operator of the small mill or mobile sawmill has a certificate from a
- 23 state-approved lumber grading training program, certifies that the lumber
- 24 conforms with product and inspection standards under American Softwood
- 25 Lumber Standard PS20, and marks the lumber with (i) the mill number, name,
- 26 or abbreviation, (ii) the species or combination of species of the lumber, (iii)
- 27 whether the lumber was dry or green when manufactured as required by
- 28 American Softwood Lumber Standard PS20, and (iv) whether the lumber
- 29 conforms with PS20 standards.
- 30 (4) The appropriate code enforcement official reviews the framing of the structure
- 31 to ensure that it meets the requirements of the North Carolina Residential
- 32 Code or the North Carolina Building Code, as applicable, in all respects other
- 33 than the requirements that only grade-stamped lumber be used in residential
- 34 construction. The code enforcement official shall not be liable for any
- 35 structural failure that occurs as a result of the use of dimension lumber rather
- 36 than grade-stamped lumber.
- 37 (5) The small mill or mobile sawmill provides to the purchaser a certificate
- 38 containing all of the following:
 - 39 a. A statement of the species of wood, quantity milled, and address where
 - 40 the lumber will be used.
 - 41 b. The name of the sawmill operator certified pursuant to G.S. 143-138.2
 - 42 who milled the lumber.
 - 43 c. A certification that the lumber meets or exceeds the requirements of
 - 44 the North Carolina State Building Code with the exception that it has
 - 45 not been grade-stamped by an accredited lumber grading bureau.
 - 46 d. The date of sale of the lumber.

47 **SECTION 1.(d)** The Residential Code Council and Building Code Council shall
48 adopt temporary rules to implement the requirements of this section no later than 180 days after
49 the effective date of this section. The Residential Code Council and Building Code Council shall
50 also adopt permanent rules to replace the temporary rules.

1 **SECTION 2.(a)** Article 9 of Chapter 143 of the General Statutes is amended by
2 adding a new section to read:

3 **"§ 143-138.2. Lumber grading training program.**

4 (a) The North Carolina Cooperative Extension Service shall establish a basic lumber
5 grading training program for individuals and establish the general requirements for successfully
6 completing the training program, including requirements for initial certification and for
7 recertification. The North Carolina Cooperative Extension Service shall offer the training
8 program at least annually. The Extension Forestry staff, in cooperation with the staff of the North
9 Carolina Forest Service, shall develop and establish the content of the training program,
10 determine the certification requirements for instructors teaching the training program, and
11 determine the criteria for determining successful completion of the training program. Instructors
12 shall be approved by the North Carolina Cooperative Extension Service.

13 (b) The North Carolina Cooperative Extension Service may, in its discretion, authorize
14 one or more private lumber grading training programs, provided that the content of the private
15 programs and certification requirements for instructors and criteria for successful completion of
16 the training program are at least as stringent as the program offered by the North Carolina
17 Cooperative Extension Service. An authorized private training program may issue initial
18 certifications and recertifications.

19 (c) An individual holding an initial certification from the program established by
20 subsection (a) of this section, from a private program authorized under subsection (b) of this
21 section, or from a state-approved lumber grading program in another state who mills lumber in
22 the State shall be recertified under the training program every five years.

23 (d) An individual who holds an initial certification from the program established by
24 subsection (a) of this section, from a private program authorized under subsection (b) of this
25 section, or from a state-approved lumber grading program in another state shall register with the
26 North Carolina Forest Service before selling lumber that has not been grade-stamped under the
27 authority of a lumber grading bureau directly to the owner of a structure for use in construction
28 of the structure."

29 **SECTION 2.(b)** The North Carolina Cooperative Extension Service shall establish
30 the basic lumber grading training program no later than 180 days after the effective date of this
31 section.

32 **SECTION 3.** G.S. 160D-1110 is amended by adding a new subsection to read:

33 "(b1) For a structure constructed with lumber that has not been grade-stamped under the
34 authority of a lumber grading bureau, a building permit applicant shall submit with the building
35 permit application all of the following:

36 (1) A statement of the species of wood, quantity, and address where the lumber
37 will be used.

38 (2) The name of the sawmill operator certified pursuant to G.S. 143-138.2 who
39 milled the lumber.

40 (3) A certification that the lumber meets or exceeds the requirements of the North
41 Carolina State Building Code with the exception that it has not been
42 grade-stamped by an accredited lumber grading bureau.

43 (4) The date of sale of the lumber."

44 **SECTION 4.** Section 1 of this act is effective when it becomes law and expires when
45 the Residential Code Council and Building Code Council have issued permanent rules
46 substantially similar to Sections 1(b) and 1(c) of this act and notifies the Codifier of Statutes that
47 it has done so. Section 3 of this act becomes effective on the date that the temporary rules required
48 to be adopted by the Residential Code Council and Building Code Council by Section 1 of this
49 act become effective. The remainder of this act is effective when it becomes law.