

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

**SESSION LAW 2008-188**  
**SENATE BILL 1627**

**AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.**

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 143B of the General Statutes of North Carolina is amended by adding a new Part to read:

"Part 2K. North Carolina Certified Retirement Community Program.

**"§ 143B-437.100. North Carolina Certified Retirement Community Program – creation; powers and duties.**

(a) Program. – There is established the North Carolina Certified Retirement Community Program as part of the 21st Century Communities program of the North Carolina Department of Commerce. The Department shall coordinate the development and planning of the North Carolina Certified Retirement Community Program with other State and local groups interested in participating in and promoting the North Carolina Certified Retirement Community Program. The Department shall adopt administrative rules to implement the provisions of this Part. For purposes of this Part, "Department" means the North Carolina Department of Commerce, and "Program" means the North Carolina Certified Retirement Community Program.

(b) Purpose. – The purpose of the Program is to encourage retirees and those planning to retire to make their homes in North Carolina. In order to further this purpose, the Department shall engage in the following activities:

- (1) Promote the State as a retirement destination to retirees and those persons and families who are planning retirement both in and outside of North Carolina.
- (2) Assist North Carolina communities in their efforts to market themselves as retirement locations and to develop communities that retirees would find attractive for a retirement lifestyle.
- (3) Assist in the development of retirement communities and continuing care facilities under Article 64 of Chapter 58 of the General Statutes in order to promote economic development and a potential workforce to enrich North Carolina communities.
- (4) Encourage mature market travel and tourism to North Carolina to evaluate future retirement desirability and to visit those who have chosen to retire in North Carolina.

(c) Factors. – The Department shall identify factors that are of interest to retirees or potential retirees in order to inform them of the benefits of living in North Carolina. These factors shall be used to develop a scoring system to determine whether an applicant will qualify as a North Carolina certified retirement community and may include the following:

- (1) North Carolina's State and local tax structure.
- (2) Housing opportunities and cost.
- (3) Climate.
- (4) Personal safety.
- (5) Working opportunities.
- (6) Health care and continuing care services.

- (7) Transportation.
- (8) Continuing education.
- (9) Leisure living.
- (10) Recreation.
- (11) The performing arts.
- (12) Festivals and events.
- (13) Sports.
- (14) Other services and facilities necessary to enable persons to age in the community with a minimum of restrictions.

(d) Certification. – The Department shall establish criteria for qualifying as a North Carolina certified retirement community. To be eligible to obtain certification as a North Carolina certified retirement community, the community shall meet each of the following requirements:

- (1) Be located within 30 miles of a hospital and of emergency medical services.
- (2) Take steps to gain the support of churches, clubs, businesses, media, and other entities whose participation will increase the Program's success in attracting retirees or potential retirees.
- (3) Establish a retiree attraction committee. The retiree attraction committee shall fulfill or create subcommittees to fulfill each of the following:
  - a. Conduct a retiree desirability assessment analyzing the community with respect to each of the factors identified by the Department and submit a report of the analysis to the Department.
  - b. Send a representative of the retirement attraction committee to attend State training meetings conducted by the 21st Century Communities program during the certification process.
  - c. Raise funds necessary to run the Program, organize special events, and promote and coordinate the Program with local entities.
  - d. Establish a community image, evaluate target markets, and develop a marketing and public relations plan designed to accomplish the purpose of the Program.
  - e. Develop a system that identifies and makes contact with existing and prospective retirees, that provides tour guides when prospects visit the community, and that responds to inquiries, logs contacts made, invites prospects to special community events, and maintains continual contact with prospects until the prospect makes a retirement location decision.
- (4) Remit an application fee to the 21st Century Communities program equal to the greater of ten thousand dollars (\$10,000) or the product of fifty cents (50¢) multiplied by the population of the community, as determined by the most recent census.
- (5) Submit the completed marketing and public relations plan designed to accomplish the purpose of the Program to the Department.
- (6) Submit a long-term plan outlining the steps the community will undertake to maintain or improve its desirability as a destination for retirees, including corrections to any services or facilities identified in the retiree desirability assessment.

**"§ 143B-437.101. North Carolina Certified Retirement Community Program – administration.**

(a) Administration and Support. – Upon being certified as a North Carolina certified retirement community, the 21st Century Communities program shall provide the following assistance to the community:

- (1) Assistance in the training of local Program staff and volunteers.
- (2) Ongoing oversight and guidance in marketing and updating on national retirement trends.
- (3) Inclusion in the State's national advertising and public relations campaigns and travel show promotions, including a prominent feature on the Department's Web site.
- (4) Eligibility for State financial assistance for brochures, support material, and advertising.
- (5) An annual evaluation and progress assessment on maintaining and improving the community's desirability as a home for retirees.

(b) Expiration. – A community's certification under this section expires on the fifth anniversary of the date the initial certification is issued. To be considered for recertification by the 21st Century Communities program, an applicant community shall submit the following:

- (1) A completed new application in accordance with the requirements of this Part.
- (2) Data demonstrating the success or failure of the community's efforts to market and promote itself as a desirable location for retirees and potential retirees.
- (3) The fee required by G.S. 143B-437.100(d)(4)."

**SECTION 2.** Pilot program. – The Department of Commerce, in conjunction with the Second Career Center of Robeson Community College, shall lead the implementation of the North Carolina Certified Retirement Community Program through a pilot project. During this pilot implementation, the community selection criteria and scoring methodology will be defined, applications will be developed, educational sessions will be conducted, and marketing strategies will be developed. The City of Lumberton will serve as the pilot community for this program. In recognition of the assistance, the City of Lumberton shall provide in this pilot implementation, application fee charged for the City's initial application shall be twenty-five dollars (\$25.00). The Department of Commerce, the Second Career Center, and the City of Lumberton shall jointly work to organize the community and prepare its application. The Department of Commerce shall report on the implementation of this section by April 1, 2009, to the Joint Legislative Commission on Governmental Operations and to the House and Senate Appropriations Subcommittees on Natural and Economic Resources.

**SECTION 3.** Section 2 of this act becomes effective October 1, 2008. The remainder of this act becomes effective July 1, 2010.

In the General Assembly read three times and ratified this the 18<sup>th</sup> day of July, 2008.

s/ Marc Basnight  
President Pro Tempore of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 5:10 p.m. this 7<sup>th</sup> day of August, 2008