

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 352 <1st Edition>

SHORT TITLE: Extend Lien for Public Health Nuisance

SPONSOR(S): Sen. Kerr

FISCAL IMPACT

Yes () No () No Estimate Available (X)

FY 2001-02 FY 2002-03 FY 2003-04 FY 2004-05 FY 2005-06

REVENUES

General Fund

*** No General Fund Impact ***

Local Governments

*** See Assumptions and Methodology ***

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: Local Governments.

EFFECTIVE DATE: When it becomes law.

BILL SUMMARY: Under current law a city can “summarily remove, abate, or remedy everything ... that is dangerous or prejudicial to the public health or public safety” (G.S. 160A-193). The property owner must pay the cost of remedial action. If that property owner does not pay, the cost can be listed as a lien on that particular parcel. The bill extends the city’s right to place a lien to any other real property held by the owner within the city limits (and one mile beyond), with the exception of that person’s primary residence.

ASSUMPTIONS AND METHODOLOGY: This bill does not change what municipalities are authorized to do to remedy a public health and safety situation. It merely extends their collection authority to include liens on other non-primary resident property within or near the city limits. Fiscal Research is not able to estimate what the overall impact will be on municipalities because annual statewide amount of lost collections for remediation and the impact this measure will have on property owner behavior is unknown. It is expected the bill would enhance a municipality’s ability to collect on debts for remediation.

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