

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 1305  
Committee Substitute Favorable 5/19/05

Short Title: Maps/Charters to Sec. of State.

(Public)

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Sponsors:

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Referred to:

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April 20, 2005

A BILL TO BE ENTITLED

1 AN ACT REQUIRING CITIES TO FILE CERTIFIED CHARTERS AND  
2 BOUNDARY MAPS AND COUNTIES TO FILE CERTIFIED BOUNDARY  
3 MAPS WITH THE SECRETARY OF STATE.  
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-22 reads as rewritten:

7 "**§ 160A-22. Map of corporate ~~limits~~limits; filing of maps and charters.**

8 (a) The current city boundaries shall at all times be drawn on a map, or set out in  
9 a written description, or shown by a combination of these techniques. This delineation  
10 shall be retained permanently in the office of the city clerk. Alterations in these  
11 established boundaries shall be indicated by appropriate entries upon or additions to the  
12 map or description made by or under the direction of the officer charged with that duty  
13 by the city charter or by the council. Copies of the map or description reproduced by  
14 any method of reproduction that gives legible and permanent copies, when certified by  
15 the city clerk, shall be admissible in evidence in all courts and shall have the same force  
16 and effect as would the original map or description. The council may provide for  
17 revisions in any map or other description of the city boundaries. A revised map or  
18 description shall supersede for all purposes the earlier map or description that it is  
19 designated to replace.

20 (b) On or before December 1, 2006, the city clerk shall file with the Secretary of  
21 State a certified true copy of the map required under subsection (a) of this section  
22 showing the boundaries of the city as they existed on January 1, 2006.

23 (c) On or before July 1 of the year preceding each decennial federal census, the  
24 city clerk shall file with the Secretary of State a certified true copy of a map showing  
25 the boundaries of the city as they existed on January 1 of the year preceding the  
26 decennial federal census. All maps required by this subsection shall conform to rules  
27 adopted by the Secretary of State. Prior to adopting the rules, the Secretary of State shall  
28 consult with the North Carolina League of Municipalities, the North Carolina  
29 Association of County Commissioners, the North Carolina Property Mappers

1 Association, the North Carolina Chapter of the Urban and Regional Information  
2 Systems Association, and the Statewide Mapping Advisory Council. The rules shall  
3 provide for the Secretary to accept GIS maps or others created by electronic means.

4 (d) The city clerk shall file with the Secretary of State a certified true copy of the  
5 city's charter as it existed on January 1, 2006, including acts of the General Assembly,  
6 orders of the Municipal Board of Control, any changes made under Part 4 of Article 5 of  
7 this Chapter, changes made under G.S. 160A-496, or changes made under any local act.  
8 For cities with a population of 1,000 or more according to the 2000 decennial federal  
9 census, or cities incorporated on or after January 1, 2000, the filing shall be on or before  
10 December 1, 2006. For cities with a population of less than 1,000 according to the 2000  
11 decennial federal census, the filing shall be on or before December 1, 2007.

12 Notwithstanding any other provision of law, a city charter filed with the Secretary of  
13 State under this subsection shall not be relied upon or offered as evidence in any  
14 administrative or judicial proceeding as proof of the charter."

15 **SECTION 2.** G.S. 153A-17 reads as rewritten:

16 **"§ 153A-17. Existing boundaries.**

17 (a) The boundaries of each county shall remain as presently established, until  
18 changed in accordance with law.

19 (b) On or before July 1, 2006, the county manager or, where there is no county  
20 manager, the chairman of the board of commissioners shall file with the Secretary of  
21 State a certified true copy of the map showing the boundaries of the county as they  
22 existed on January 1, 2006.

23 (c) On or before July 1 of the year preceding each decennial federal census, the  
24 manager or chairman shall file with the Secretary of State a certified true copy of the  
25 map showing the boundaries of the county as they existed on January 1 of the year  
26 preceding the decennial federal census. All maps required by this subsection shall  
27 conform to rules adopted by the Secretary of State. Prior to adopting the rules, the  
28 Secretary of State shall consult with the North Carolina League of Municipalities, the  
29 North Carolina Association of County Commissioners, the North Carolina Property  
30 Mappers Association, the North Carolina Chapter of the Urban and Regional  
31 Information Systems Association, and the Statewide Mapping Advisory Council. The  
32 rules shall provide for the Secretary to accept GIS maps or others created by electronic  
33 means."

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