

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 965**

Short Title: Durham Impact Fee for Schools. (Local)

Sponsors: Representatives Miller, Luebke, Michaux, and Wilkins (Primary Sponsors).

Referred to: Finance.

March 29, 2005

A BILL TO BE ENTITLED

AN ACT TO ALLOW DURHAM COUNTY TO IMPOSE IMPACT FEES FOR SCHOOLS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 17.1 of Chapter 460 of the 1987 Session Laws, as rewritten by Section 1 of Chapter 324 of the 1991 Session Laws, reads as rewritten:

"Sec. 17.1. (a) Except as provided by subsection (b) of this section, Section 17 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County. Provided, however, any portion of an Orange County ordinance that contains a system of impact fees to provide for capital improvements to public schools within Orange County, applies everywhere in Orange County, including within the corporate limits and the extraterritorial planning jurisdiction of any city, town, or municipal corporation within Orange County.

(b) Section 17 of this act also applies to Durham County, but only for impact fees to provide for capital improvements to public schools within Durham County. For that purpose, any mention of Orange County in that section shall be construed to also mean Durham County."

**SECTION 2.** Section 18.1 of Chapter 460 of the 1987 Session Laws, as rewritten by Section 2 of Chapter 324 of the 1991 Session Laws, reads as rewritten:

"Sec. 18.1. (a) Except as provided by subsection (b) of this section, Section 18 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County. Provided, however, any portion of an Orange County ordinance that contains a system of impact fees to provide for capital improvements to public schools within Orange County, applies everywhere in Orange County, including within the corporate limits and the extraterritorial planning jurisdiction of any city, town, or municipal corporation within Orange County.

(b) Section 17 of this act also applies to Durham County, but only for impact fees to provide for capital improvements to public schools within Durham County. For that

1 purpose, any mention of Orange County in that section shall be construed to also mean  
2 Durham County."

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