GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

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HOUSE DRH70030-LB-83 (02/01)

Short Title: NC Annexation Laws and Practice Study.

Sponsors:	Representative Dollar.
Referred to:	

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1	A BILL TO BE ENTITLED		
2	AN ACT TO CREATE A STUDY COMMISSION TO REVIEW NORTH		
3	CAROLINA'S ANNEXATION LAWS AND PRACTICE.		
4	Whereas, the annexation laws were rewritten in 1959 to allow involuntary		
5	annexation of areas without approval of those being annexed; and		
6	Whereas, a legislative study commission in 1982 recommended, and the 1983		
7	General Assembly enacted, revisions to redress the imbalance in the annexation laws;		
8	and		
9	Whereas, another legislative study commission on annexation laws		
10	authorized in 1997 resulted in further revision in the 1998 Session; and		
11	Whereas, it is desirous to again examine the balance of annexation laws		
12	between the needs for services in urban areas, the growing provision of these services		
13	by counties, lessening the need for annexation, and the proper concern of persons		
14	proposed to be annexed that they have no meaningful say in their annexation, which		
15	often leads to not only higher property taxes but often large and burdensome fees for		
16	extension of and connection to municipal water and sewer utilities, and can lead to		
17	regulatory requirements that substantially change the character of existing		
18	neighborhoods; Now, therefore,		
19	The General Assembly of North Carolina enacts:		
20	SECTION 1.(a) There is created the Study Commission on Annexation		
21	Laws. The Commission shall consist of 12 members as follows:		
22	(1) One county commissioner or county manager, appointed by the		
23	President Pro Tempore of the Senate.		
24	(2) One county commissioner or county manager, appointed by the		
25	Speaker of the House of Representatives.		
26	(3) One elected municipal official or city manager, appointed by the		
27	President Pro Tempore of the Senate.		
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(Public)

1	(4)	One elected municipal official or city manager, appointed by the
2		Speaker of the House of Representatives.
3	(5)	One person who has been active in supporting changes in the
4		annexation laws to protect the rights of persons proposed for
5		annexation, appointed by the President Pro Tempore of the Senate.
6	(6)	One person who has been active in supporting changes in the
7		annexation laws to protect the rights of persons proposed for
8		annexation, appointed by the Speaker of the House of Representatives.
9	(7)	Three senators, appointed by the President Pro Tempore of the Senate.
10	(8)	Three members of the House of Representatives, appointed by the
11	~ /	Speaker of the House of Representatives.
12	SECT	TON 1.(b) The Speaker of the House of Representatives shall appoint
13		ne President Pro Tempore of the Senate shall appoint a cochair for the
14	Commission. Th	e Commission may meet at any time upon the joint call of the cochairs.
15	Vacancies on the	e Commission shall be filled by the same appointing authority as made
16	the initial appoir	ntment.
17	SECT	TON 2. The Commission shall study the following issues relating to
18	the annexation la	aws:
19	(1)	The balance of the rights of persons proposed for annexation with the
20		responsibility to provide urban services.
21	(2)	The lessened need for annexation because of the ability, willingness,
22		and growing trend of counties to provide services in urban and
23		urbanizing areas.
24	(3)	The financial burdens placed on persons annexed caused not only by
25		property taxes, but also heavy assessments for water and sewer line
26		extensions or connections, which are often burdensome.
27	(4)	The value of maintaining the character of existing large lot
28		neighborhoods and communities that were initially developed well
29		outside the limits of a now rapidly expanding municipality.
30	SECT	TION 3. The Commission, while in the discharge of its official duties,
31		1 powers provided for under G.S. 120-19 and G.S. 120-19.1 through
32	•	The Commission may contract for professional, clerical, or consultant
33		ided by G.S. 120-32.02.
34	-	ct to the approval of the Legislative Services Commission, the
35	•	y meet in the Legislative Building or the Legislative Office Building.
36		Services Commission, through the Legislative Services Officer, shall
37	-	onal staff to assist the Commission in its work. The House of
38		and the Senate's Supervisors of Clerks shall assign clerical support staff
39		ion, and the expenses relating to the clerical employees shall be borne
40		sion. Members of the Commission shall receive subsistence and travel
41	•	rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.
42	_	TON 4. The Commission shall submit a final report of its findings and
43		is, including any legislative recommendations, to the 2009 General
44		its convening. The Commission may also make an interim report to the

1	General Assembly in 2008. The Commission shall terminate upon the convening of the
2	2009 General Assembly.
3	SECTION 5. Of the funds appropriated to the General Assembly, the
4	Legislative Services Commission shall allocate adequate funds for the expenses of the
5	Commission established by this act, including staff, consultants, and production of
6	reports.
7	SECTION 6. This act becomes effective July 1, 2007.