

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH80361-LBx-314A (4/5)

Short Title: Annexation Diversity Act.

(Public)

Sponsors: Representative Boylan.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENSURE DIVERSITY IN ANNEXATIONS.

Whereas, the process of determining municipal boundaries has given broad discretion to municipalities; and

Whereas, questions of fundamental fairness have arisen when through a process of voluntary and involuntary annexations, patterns have occurred, documented by exhaustive histories and research, whereby lower income areas which have large minority populations have been excluded from the corporate limits of municipalities while predominantly nonminority wealthier areas have been annexed; and

Whereas, the General Assembly finds it necessary to ensure a fundamental level of fairness in annexations; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-48 is amended by adding a new subsection to read:

"(g) If the area to be annexed is wholly or partly within the extraterritorial planning jurisdiction of the city (whether under G.S. 160A-360 or local act) it may not have a racial composition that is a lower minority percentage than the composition of the entire extraterritorial planning jurisdiction of the city. In order to comply with this provision, the city may annex together in one proceeding different areas which, while contiguous to the city, are not contiguous to each other, and apply the tests required by this section to the entire area being annexed."

SECTION 2. G.S. 160A-36 is amended by adding a new subsection to read:

"(f) If the area to be annexed is wholly or partly within the extraterritorial planning jurisdiction of the city (whether under G.S. 160A-360 or local act) it may not have a racial composition that is a lower minority percentage than the composition of the entire extraterritorial planning jurisdiction of the city. In order to comply with this provision, the city may annex together in one proceeding different areas which, while

1 contiguous to the city, are not contiguous to each other, and apply the tests required by
2 this section to the entire area being annexed."

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