

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2019-190
SENATE BILL 190

AN ACT TO EXPAND THE AUTHORIZATION FOR A COUNTY TO IMPOSE A SPECIAL
ASSESSMENT FOR DAM REPAIR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-210.1(b) reads as rewritten:

"(b) Sunset. – This Article expires July 1, 2020, for projects that have not been approved under a final assessment resolution. For projects authorized in G.S. 153A-210.2(a1), this Article expires July 1, ~~2019-2022~~. The expiration does not affect the validity of assessments imposed or to be imposed or bonds issued or authorized or to be issued or authorized under the provisions of this Article if a final assessment resolution has been adopted prior to the effective date of the expiration."

SECTION 2. G.S. 153A-210.2(a1) reads as rewritten:

"(a1) Dam Repair Project. – The board of commissioners of a county may make special assessments as provided in this Article against property that is contiguous to a lake, and benefits from access to the same lake, for the purpose of repairing the dam of that lake. The provisions of this subsection only apply to ~~a~~ the following:

- (1) A privately owned dam formerly used for textile mill purposes, forming a lake between 225 and 325 acres in area.
- (2) A privately owned dam formerly used for recreational and flood control purposes, forming a lake between 1,100 and 1,300 acres. The authority provided in this subdivision applies only if all of the following conditions are met:
 - a. The board of county commissioners directs the county board of elections to conduct an advisory referendum on the question of whether to make the special assessment authorized in this subdivision.
 - b. The election is held in accordance with the procedures of G.S. 163A-1592, and the form of the question to be presented on the ballot concerning the special assessment authorized by this subdivision is as follows:

" FOR AGAINST

Special assessment for repairing a dam formerly used for recreational and flood control purposes and forming a lake between 1,100 and 1,300 acres."
 - c. A majority of those voting in the referendum vote for the special assessment authorized in this subdivision.
 - d. The board of county commissioners, by resolution and after 10 days' public notice, makes the special assessment authorized in this subdivision."



SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 24th day of July, 2019.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 12:29 p.m. this 1st day of August, 2019