



HOUSE BILL 131: Town of Maggie Valley/Deannexation

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

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| Committee: | House Finance, Subcommittee on Annexation and Deannexation | Date: | June 10, 2015 |
| Introduced by: | Rep. Presnell | Prepared by: | Greg Roney Committee Counsel |
| Analysis of: | PCS to First Edition H131-CSTMxr-29 | | |

SUMMARY: *The Proposed Committee Substitute (PCS) for House Bill 131 would deannex the Evergreen Heights neighborhood (14.738 acres) from the Town of Maggie Valley.*

The PCS changes the effective date from July 1, 2015 to June 30, 2015 which is the end of the property tax year.

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable."

Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes, which governs municipal annexation. The General Assembly has not enacted any method for municipalities to *deannex* property — that power remains with the General Assembly.

BILL ANALYSIS: House Bill 131 would deannex 14.738 acres from the Town of Maggie Valley in Haywood County.

Property taxes and special assessments imposed by the Town of Maggie Valley before the effective date are valid and may be collected as if the property were still in the Town of Maggie Valley.

EFFECTIVE DATE: The PCS for House Bill 131 would become effective June 30, 2015.

BACKGROUND: The property in House Bill 131 (Evergreen Heights neighborhood) was part of the 116.121 acres annexed by the Town on June 17, 2008. Since July 1, 2008, the neighborhood has received Town services, including police protection, solid waste collection, street maintenance, wastewater collection, and street lighting. On March 9, 2015, the Town Alderman approved Resolution 15-2 to oppose House Bill 131 by a 4-1 vote.

Kelly Tornow with the Research Division substantially contributed to this summary.

