



# HOUSE BILL 217: Clayton Deannexation/Annexation

2013-2014 General Assembly

<b>Committee:</b>	Senate Re-ref to State and Local Government. If fav, re-ref to Finance	<b>Date:</b>	May 19, 2015
<b>Introduced by:</b>	Rep. Daughtry	<b>Prepared by:</b>	Kelly Tornow Committee Counsel
<b>Analysis of:</b>	PCS to First Edition H217-CSTHx-27		

**SUMMARY:** *House Bill 217 would:*

- *Annex a parcel of land of approximately 3.964 acres into the corporate limits of the Town of Clayton.*
- *Deannex an adjacent parcel of land of approximately 3.964 acres from the corporate limits of the Town of Clayton.*

[As introduced, this bill was identical to S265, as introduced by Sen. Newton, which is currently in Senate Re-ref to State and Local Government. If fav, re-ref to Finance.]

**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 annexations. The General Assembly has not enacted any method for municipalities to *deannex* property — that power remains with the General Assembly.

**BILL ANALYSIS:**

**Section 1** of the bill would annex a parcel of land of approximately 3.964 acres into the corporate limits of the Town of Clayton.

**Section 2** of the bill would deannex an adjacent parcel of land of approximately 3.964 acres from the corporate limits of the Town of Clayton.

**EFFECTIVE DATE:** This act becomes effective June 30, 2015.

**BACKGROUND:** According to the Clayton Town Manager, adjoining landowners are exchanging equivalent tracts (3.964 acres). One tract is in the Town, and one tract is not. The landowners requested Clayton to facilitate the exchange by exchanging tracts within the Town's boundaries.

*Giles S. Perry and Greg Roney with the Research Division substantially contributed to this summary.*

