



# HOUSE BILL 430: County Omnibus Legislation

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

2015-2016 General Assembly

<b>Committee:</b>	House Environment, if favorable, Finance	<b>Date:</b>	April 15, 2015
<b>Introduced by:</b>	Reps. McElraft, Carney, McGrady	<b>Prepared by:</b>	Jeff Hudson
<b>Analysis of:</b>	First Edition		Committee Counsel

**SUMMARY:** *House Bill 430 would reestablish the State Payment in Lieu of Taxes Study Commission, direct the Environmental Review Commission to study statewide approaches to control invasive aquatic noxious weeds, direct the Revenue Laws Study Committee to study the financial impacts on local governments of exempting previously taxable properties from the property tax base when acquired by nonprofits, and authorize counties to establish residential recyclable materials collection programs.*

[As introduced, this bill was identical to S422, as introduced by Sens. J. Davis, Foushee, which is currently in Rules and Operations of the Senate.]

## BILL ANALYSIS:

Section 1 of the bill would reestablish the State Payment in Lieu of Taxes Study Commission. The Commission would consist of 13 members appointed as follows:

- Three members of the House of Representatives appointed by the Speaker.
- Three members of the Senate appointed by the President Pro Tempore.
- The Secretary of Revenue or the Secretary's designee.
- Three members of the public appointed by the Speaker, two based on the recommendation of the North Carolina Association of County Commissioners and one based on the recommendation of the North Carolina League of Municipalities.
- Three members of the public appointed by the President Pro Tempore, two based on the recommendation of the North Carolina Association of County Commissioners and one based on the recommendation of the North Carolina League of Municipalities.

The Commission would study issues relating to the development of a State payment in lieu of taxes for State properties, including wildlife and game lands and the Commission could consider any other issues deemed relevant. The Commission could submit an interim report during the course of the study and would submit a final report prior to the convening of the 2017 General Assembly. The Commission would terminate upon the convening of the 2017 General Assembly or upon the filing of its final report, whichever occurs first.

Section 2 would direct the Environmental Review Commission to study issues relating to statewide approaches to control invasive aquatic noxious weeds in the State's waters, including funding needed to support statewide control. The Commission would report its findings and recommendation on statewide approaches to control invasive aquatic weeds to the 2016 Regular Session of the 2015 General Assembly.

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Section 3 would direct The Revenue Laws Study Committee to study issues relating to the financial impacts on local governments of exempting previously taxable properties from the property tax base when acquired by nonprofits. The Committee would report its findings and recommendation on the financial impacts of exempting previously taxable properties to the 2016 Regular Session of the 2015 General Assembly.

Section 4 would amend a statute addressing county authority with respect to matters related to management of solid waste, which, among other things, currently authorizes a county to establish and operate solid waste collection and disposal facilities and impose associated fees.

The bill would modify this statute to allow a county to establish a program for the collection of residential recyclable materials, and impose a fee for such a program. The fee may not exceed the cost of providing the collection service and may be imposed on all benefited improved property along designated collection routes. The bill provides, however, that the fee may not be imposed on improved property from which residential recyclable material is collected by a private contractor for a fee if the private contractor collects the same recyclable materials as those collected by the county collection program.

**EFFECTIVE DATE:** This act would become effective when it becomes law.