



HOUSE BILL 493: Lake Lure Deannexation/Referendum

2015-2016 General Assembly

Committee:	House Local Government, if favorable, Finance	Date:	May 7, 2015
Introduced by:	Rep. Hager	Prepared by:	Kelly Tornow Committee Counsel
Analysis of:	PCS to First Edition H493-CSTHx-21		

SUMMARY: *House Bill 493 would deannex Mystic Waters Farm from the Town of Lake Lure, subject to a referendum.*

The PCS corrects the effective date of the deannexation.

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 493 would deannex Mystic Waters Farm, LCC, property, formerly known as Eagle Camp, LLC. The deannexation would become effective only if approved by the registered voters of the Town of Lake Lure in a referendum conducted on November 3, 2015.

Property taxes and special assessments imposed by the Town of Lake Lure before the effective date would remain valid and may be collected as if the property were still in the Town.

EFFECTIVE DATE: If approved by the voters, the deannexation would become effective June 30, 2016. The remainder of this act is effective when it becomes law.

BACKGROUND: On December 9, 2014, the Lake Lure Town Council approved a resolution endorsing the deannexation of Mystic Waters Farm.

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