



HOUSE BILL 99: Town of Polkton/Deannexation

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

2015-2016 General Assembly

Committee:	House Finance	Date:	April 23, 2015
Introduced by:	Rep. Brody	Prepared by:	Greg Roney
Analysis of:	PCS to First Edition H99-CSTM-13		Committee Counsel

SUMMARY: *The Proposed Committee Substitute (PCS) to House Bill 99 would deannex 81.5 acres from the Town of Polkton.*

The PCS changes the effective date (from 7/1/15 to 6/30/15) to match the default effective date for 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 99 would deannex 81.5 acres from the Town of Polkton in Anson County.

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

EFFECTIVE DATE: This PCS becomes effective June 30, 2015.

BACKGROUND: Pursuant to a Town ordinance dated December 2, 2002, the Town satellite annexed 81.5 acres of real property. On February 2, 2015, the Town of Polkton Board of Commissioners approved a resolution to request that the Town's legislative delegation deannex the property from the corporate limits of the Town. The real property owners in the area to be deannexed wrote letters in support of the resolution.

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

