



# SENATE BILL 256: Durham Voluntary Annexations/Adjacent Streets

2015-2016 General Assembly

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<b>Committee:</b>	House Finance, Subcommittee on Annexation and Deannexation	<b>Date:</b>	June 10, 2015
<b>Introduced by:</b>	Sens. McKissick, Woodard	<b>Prepared by:</b>	Greg Roney Committee Counsel
<b>Analysis of:</b>	First Edition		

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**SUMMARY:** *Senate Bill 256 would amend the Charter of the City of Durham to allow the City Council to include in the description of the area to be annexed any adjacent streets or street rights-of-way.*

**CURRENT LAW:** Part 1 of Article 4A of Chapter 160A governs voluntary annexation of contiguous areas, and Part 4 of Article 4A of Chapter 160A governs voluntary annexations of noncontiguous areas (i.e., satellite annexations). There is a provision in each Part stating that a city has no authority to adopt a resolution or petition itself to annex property it does not own or have any legal interest in, including State-maintained streets, unless it owns the underlying fee and not just an easement.

**BILL ANALYSIS:** Senate Bill 256 would amend the Charter of the City of Durham to allow the City Council to include in the description of the area to be annexed any adjacent streets or street rights-of-way.

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

*Kelly Tornow and Cindy Avrette, both with the Research Division, substantially contributed to this summary.*

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