



HOUSE BILL 1076: Alamance/Guilford Boundary Line.

2017-2018 General Assembly

Committee:	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 19, 2018
Introduced by:	Reps. Hardister, Ross, Quick, Brockman	Prepared by:	Greg Roney
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 1076 would implement the realignment of the boundary between Alamance and Guilford Counties, generally effective July 1, 2018.*

CURRENT LAW: The North Carolina Geodetic Survey (NCGS) via its State and County Boundary Program was created to resurvey ambiguous sections of the State's borders and county boundaries in order to prevent boundary-related disputes between bordering entities and to facilitate real estate property assessments, E-911 services, building inspections, and school assignments.

According to the NC Geodetic Survey staff, the last time the Alamance-Guilford boundary was surveyed was at the time Guilford County was formed in 1770. The original boundary line was between Guilford and Orange counties. When Orange County was divided in 1849, the portion lying to the west of the dividing line became Alamance County. At the time Alamance County was formed, only the new dividing line was surveyed. The western boundary of Alamance County (also the eastern boundary of Guilford County) was not resurveyed in 1849 and no record of a subsequent survey has been discovered.

S.L. 2013-68 required the county commissioners of Alamance and Guilford counties to request that the North Carolina Geodetic Survey (NCGS) perform a preliminary resurvey and present a proposed map for consideration by both counties. The boundary line was to be resurveyed in areas where property owners have met the established administrative criteria to be assigned to a specific county and in areas where the NCGS boundary is not reasonably discerned or is unduly burdensome.

No later than May 15, 2014, Alamance and Guilford counties were to submit to the General Assembly for ratification a completed survey that included both the NCGS boundary line and all mutually agreed upon modifications to that line.

BILL ANALYSIS: House Bill 1076 would set forth the necessary timelines for implementing the completed survey re-establishing the Alamance-Guilford County line, as follows:

- January 1, 2018:
 - The boundary line as set out in the resurvey of the line conducted by the NCGS in 2008 is hereby recognized as the true and accurate boundary for Guilford County and Alamance County, and is hereby ratified. The boards of county commissioners have adopted resolutions pursuant to G.S. 153A-18, establishing the boundary. **Section 1.**
 - The areas affected by the 2008 survey are to be transferred into the appropriate superior court district, district court district, and prosecutorial district, and remain in the same congressional, NC House of Representatives, and NC State Senate district. **Section 8.**

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- The boards of education of Alamance County and Guilford County are to cooperate with each other on behalf of residents who have students affected by the 2008 survey to ensure that a transition is made that provides students with a choice to remain in their current school system until graduation from high school. Any child who is a resident of any property situated in the areas affected by the 2008 survey on the date this act becomes law and who is a student in the Alamance or Guilford County school systems during the 2018-2019 school year, may attend school in that school system without necessity of a release or payment of tuition. This applies to any siblings of those student. **Sections 9-10.**
- Limitation on liability. **Section 11.**
- On or after July 1, 2018:
 - All papers, documents, and instruments required or permitted to be filed or registered, involving residents and property in areas affected by the 2008 survey, that previously may have been recorded in the adjoining counties is to be recorded in the county in which the property is situated as shown by the 2008 survey. **Section 2.**
 - All public records related to residents and property located in areas affected by the 2008 survey that were filed or recorded prior to July 1, 2018, in the adjoining counties would remain in those respective adjoining counties where filed or recorded, and the records remain valid public records as to the property and persons involved. **Section 3.**
 - Causes of actions, including criminal actions, involving persons or property located in areas affected by the 2008 survey, pending on July 1, 2018, would continue in the appropriate adjoining county. **Section 5.**
 - The board of elections of Alamance County and Guilford County would be required to transfer the voter registration records pertaining to persons residing in areas affected by the 2008 survey to the adjoining county's board of elections. **Section 6.**
 - The Jury Commission of Alamance County and Guilford County would be required to revise its jury lists to add to or eliminate those persons subject to jury duty who reside in areas affected by the 2008 survey. **Section 7.**
- September 1, 2018:
 - No later than September 1, 2018, the NCGS shall submit the survey plat denoting the location of the reestablished Alamance/Guilford boundary line to the Register of Deeds in Alamance and Guilford Counties and to the Office of the Secretary of State. **Section 1.**
- July 1, 2019:
 - All real and personal property in areas affected by the 2008 survey that was subject to ad valorem taxation on January 1, 2019, would be subject to ad valorem taxes in the county to which the property is reassigned as a result of the 2008 survey for the fiscal year beginning July 1, 2019, to the same extent as it would have been had it been correctly recognized by the tax departments of each county on January 1, 2019. **Section 4.**

EFFECTIVE DATE: As noted above.

Erika Churchill with the Legislative Analysis Division substantially contributed to this summary.