



# HOUSE BILL 415: Hatteras Village Community Center District.

2017-2018 General Assembly

<b>Committee:</b>	House State and Local Government II. If favorable, re-refer to Finance	<b>Date:</b>	April 4, 2017
<b>Introduced by:</b>	Rep. Boswell	<b>Prepared by:</b>	Cindy Avrette Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** House Bill 415<sup>1</sup> would allow the voters of Hatteras Village to decide whether part of the property tax revenue imposed on property in the Hatteras Village Community Center District may be used for the construction and maintenance of multiuse pathways around the Village. If the bill is enacted, the referendum could be held at the same time as a county general election; the next county general election is most likely the primary election of 2018.

**CURRENT LAW:** The Hatteras Village Community Center District is a special district<sup>2</sup> created by the General Assembly to establish, operate, and maintain the community center in Hatteras Village for the use and benefit of all the residents of the district. Chapter 991 of the 1983 Session provided for an election to be held on the question of establishing the district and the imposition of a property tax in the district for the purpose of maintaining and operating the Hatteras Community Center. The tax rate is set by the Board of County Commissioners of Dare County and cannot exceed 15c on the \$100 of property value. The powers and duties of the District are limited to the establishment, operation, and maintenance of the community center.

**BILL ANALYSIS:** House Bill 415 would provide for an election in the Hatteras Village Community Center District for the purpose of submitting to the voters in the district the single issue of expanding the uses of the property tax revenue to include funding the construction and maintenance of multiuse pathways around Hatteras Village. The election must be held in accordance with G.S. 163-287. Under the provisions of that statute, the special election authorized under this bill could only be held at the same time as a county general election; the next county general election will more than likely be the primary election of 2018.

The bill does not change the current maximum tax rate that may be imposed. The Dare County Board of Commissioners passed a Resolution on March 6, 2017, supporting this legislation. If a majority of the qualified voters voting in the election vote in favor of expanding the uses of the property tax to include funding the construction and maintenance of multiuse pathways, then the local session law establishing the District will be amended to expand the powers of the district and its governing body to fund the construction and maintenance of multiuse pathways and to allow the use of the property tax revenue for this purpose.

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

<sup>1</sup> As introduced, this bill was identical to S282, as introduced by Sen. Cook, which is currently in Senate Finance.

<sup>2</sup> The district is a special district established under Article VII of the North Carolina Constitution. Examples of other special districts include Duck District and Outer Banks District in Dare County; Currituck Outer Banks District and Coinjock Canals District in Currituck County; and Poplar Tent District in Cabarrus County.

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