



HOUSE BILL 491: Henderson County Fire Tax Districts.

2017-2018 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 15, 2017
Introduced by:	Reps. McGrady, Henson	Prepared by:	Nicholas Giddings Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Bill 491 is a local act that would allow Henderson County board of commissioners to transfer property, by resolution, from one fire protection district to another when the transfer is jointly requested by both fire districts.*

CURRENT LAW: Article 3A of Chapter 69 of the General Statutes addresses the creation of rural fire protection districts. G.S. 69-25.11 governs changes in the area of a fire protection district. Under G.S. 69-25.11(3), the board of county commissioners may relocate boundary lines between fire districts upon petition of the fire protection commissioners and the boards of directors of the corporations furnishing fire protection to the districts. Upon receipt of the petition, the board must set a date and time for a public hearing on the petition and must give notice of the hearing once a week for two weeks preceding the time of the hearing.

BILL ANALYSIS: House Bill 491 would allow the Board of Commissioners of Henderson County to adopt a resolution transferring areas from one fire protection district to another when the transfer is jointly requested by the fire departments serving those areas before and after the proposed transfer. The resolution adopted by the board transferring the areas must include, as an appendix, a description or map of the areas to be transferred. The resolution would become effective the first day of the next fiscal year.

EFFECTIVE DATE: Effective when it becomes law.

BACKGROUND: The General Assembly enacted a local act in 2000¹ to permit the Henderson County Board of Commissioners to adjust the boundaries of its fire protection districts in accordance with a map attached to a resolution adopted by the Henderson County Board of Commissioners on March 17, 1999. In 2011, the General Assembly enacted another local act² applicable to Henderson County that allowed its board of commissioners to change the boundaries of fire districts by resolution to include any unincorporated area of the county not already in a fire protection district if certain conditions were met.

Cindy Avrette and Trina Griffin, Staff Attorneys in the Legislative Analysis Division, substantially contributed to this summary.

¹ S.L. 2000-4.
² S.L. 2011-50.

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