



HOUSE BILL 764: Expansion of MSD/Bd Appt.

2017-2018 General Assembly

Committee:	House State and Local Government II	Date:	April 24, 2017
Introduced by:	Rep. McGrady	Prepared by:	Nicholas Giddings Committee Counsel
Analysis of:	Second Edition		

OVERVIEW: *House Bill 764 would allow a political subdivision to issue a resolution requesting the inclusion of all or part of the subdivision into a Metropolitan Sewerage District and require that any county without representation on the district board be represented by three additional members when the district expands into a new territory. The additional members would have to be qualified voters of the new territory and appointed by the county board of commissioners governing the new territory.*

CURRENT LAW: Chapter 162A governs water and sewer systems, and in particular metropolitan sewerage districts (MSD). A MSD may be created upon request to the governing body of each political subdivision, and petition of at least 51% of the qualified voters residing in any unincorporated area, and approval of the Environmental Management Commission. Once approved, a district board is appointed.

Once established, a MSD may expand its territory upon receiving a resolution from a political subdivision or petition of at least 51% of the qualified voters residing in any unincorporated area requesting to be included. The district board then files a report with the Environmental Management Commission, who in turn shall determine if the request would preserve and promote the public health and welfare and may include the new area in the district. Alternatively, the qualified registered voters of the district may request an election to determine the question of expansion.

If the MSD is expanded, appointments to the district board are to be made by the additional political subdivisions, in accordance with G.S. 162A-68(i).

BILL ANALYSIS: House Bill 764 would allow a political subdivision to issue a resolution requesting the inclusion of all or a part of the political subdivision into a MSD. The bill would also add a new subdivision under G.S. 162A-68(i) requiring any county without representation on the district board to be represented by three additional members when the MSD expands into a new territory. The three additional members would have to be qualified voters residing within the new territory and be appointed by the county board of commissioners governing the new territory. The bill would also make conforming changes.

EFFECTIVE DATE: This act would be effective when it becomes law and apply to any expansion of a metropolitan sewerage district on or after that date.

Karen Cochrane-Brown
Director



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Legislative Analysis
Division
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