



# HOUSE BILL 764: Expansion of Metropolitan Sewerage District / Board Appointments.

2017-2018 General Assembly

<b>Committee:</b>	<b>Date:</b>	October 3, 2017
<b>Introduced by:</b>	<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	S.L. 2017-26	

**OVERVIEW:** *S.L. 2017 allows a political subdivision to request inclusion into a metropolitan sewerage district (MSD) of all, or part of, the political subdivision, and requires that when new territory is expanded into a MSD, any county without representation on the MSD district board must be represented by three additional board members who are qualified voters residing within the new territory appointed by the county board of commissioners governing the new territory. The act became effective June 8, 2017 and applies to any MSD expansion on or after that date.*

**CURRENT LAW:** A MSD is initially created upon petition filed with a county board of commissioners by two or more political subdivisions, or by a political subdivision and at least 51% of the qualified voters of any unincorporated area, that is approved by the Environmental Management Commission (EMC). Upon approval, a MSD district board is appointed.<sup>1</sup>

Once established, a MSD may expand its territory upon receiving a resolution from a political subdivision or a petition signed by 51% of the qualified voters residing in any unincorporated area requesting to be included. After receipt of the request, the district board must file a report with the EMC. Upon a finding that inclusion preserves and promotes the public health and welfare, the EMC must declare the new area in the MSD. 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.<sup>2</sup>

**BILL ANALYSIS:** S.L. 2017-26:

1. Allows expansion into a MSD of all, or part, of a requesting political subdivision's jurisdiction.
2. Requires that any new county into which an existing MSD is expanded must be represented by three additional members on the MSD board appointed from among the qualified voters residing within the new territory appointed by the county board of commissioners governing the new territory.

**EFFECTIVE DATE:** The act became effective June 8, 2017 and applies to any MSD expansion on or after that date.

*Staff attorneys Erika Churchill and Nicholas Giddings substantially contributed to this bill summary.*

<sup>1</sup> G.S. 162A-66.

<sup>2</sup> G.S. 162A-68.

Karen Cochrane-Brown  
Director



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