



SENATE BILL 261: Kannapolis Deannexation.

2017-2018 General Assembly

Committee:	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 2, 2017
Introduced by:	Sen. Brock	Prepared by:	Cindy Avrette
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: Senate Bill 261¹ would remove two tracts of land from the corporate limits of the City of Kannapolis. The bill would become effective June 30, 2017, and apply to tax years beginning July 1, 2017.

CURRENT LAW: Under Section 1 of Article VII of the NC Constitution, the General Assembly is empowered to "provide for the organization and government and the fixing of boundaries of counties, cities and towns, and other governmental subdivisions, and, except as otherwise prohibited by this Constitution, may give such powers and duties to counties, cities and towns, and other governmental subdivisions as it may deem advisable." Pursuant to this Section, the General Assembly enacted Article 4A of Chapter 160A of the General Statutes which governs municipal annexations. In addition, the General Assembly may annex property by local act. However, the General Assembly has not enacted any method for municipalities to deannex property. Only the General Assembly may deannex property.

BILL ANALYSIS: Senate Bill 261 would deannex two tracts of land from the corporate limits of the City of Kannapolis. The tracts are residential property that came into the City at the time of incorporation, which included all of the property owned by Atlantic American Properties for Kannapolis Country Club. There is no other residential property within the City limits at that location in the northernmost portion of the City. As such, the property is not easily served with some city services.

The City received a petition from the property owners requesting deannexation, and the City adopted a resolution supporting legislation for the deannexation of the property.

EFFECTIVE DATE: The bill would become effective June 30, 2017, and apply to tax years beginning July 1, 2017.

Billy Godwin, counsel to Senate State and Local Government Committee, substantially contributed to this summary.

¹ As introduced, this bill was identical to H262, as introduced by Rep. Ford, which is currently in House Finance.

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