



SENATE BILL 289: Town of Sunset Beach/Deannexation.

2017-2018 General Assembly

Committee:	Senate Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 1, 2017
Introduced by:	Sen. Rabon	Prepared by:	Cindy Avrette
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *Senate Bill 289 removes 6.22 acres from the Town of Sunset Beach.*

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. The General Assembly has not enacted any method for municipalities to *deannex* property; that power remains with the General Assembly.

BILL ANALYSIS: Senate Bill 289 removes 6.22 acres from the Town of Sunset Beach at the request of the property developer. The property the bill proposes to deannex from the Town is the property known as "Sunset Creek Commons". Sunset Creek Commons is a development that offers living space to adults aged 55 or older. From news articles, the Town and the developer of Sunset Creek Commons have been in a long dispute over inspection schedules and fees.¹

EFFECTIVE DATE: The act becomes effective June 30, 2017.

Brad Krehely, counsel to Senate State and Local Government Committee, substantially contributed to this summary.

¹ ["Rabon files Sunset Beach deannexation bill," StarNews Online, March 29, 2017.](#)

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578