



HOUSE BILL 204: Town of Beaufort/Annexation.

2019-2020 General Assembly

Committee:	House State and Local Government. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 26, 2019
Introduced by:	Rep. McElraft	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	PCS to First Edition H204-CSBDx-4		

OVERVIEW: *House Bill 204 (proposed committee substitute) would add certain navigable waters and the unincorporated portion of the Rachel Carson Reserve to the corporate limits of the Town of Beaufort.*

CURRENT LAW: Annexation is a method by which municipalities alter their boundaries. The municipality must follow the statutorily prescribed steps in order to add an area into its boundaries. The municipality must provide, or contract to provide, basic services to the area. These services include police protection, fire protection, solid waste collection and the extension of water and sewer lines to the area.

North Carolina law sets forth four basic ways in which a municipality may annex an area:

- Voluntary Annexation. – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation.
- Voluntary Satellite Annexation. – The owners of all real property in the area desiring to be annexed sign a petition requesting annexation, if it otherwise meets the statutory requirements.
- Municipal-Initiated Annexation subject to a referendum. – The municipality initiates an annexation proceeding, pursuant to statutory requirements.
- Legislative Act. – The General Assembly has the authority to extend the boundaries of any municipality.

S.L. 1981-710 authorizes the Town of Beaufort to make, adopt and enforce ordinances for the navigable waters within its corporate boundaries and for its corporate boundaries as may be extended by law in the future.

BILL ANALYSIS: The PCS to House Bill 204 would add additional navigable waters and the unincorporated portion of the Rachel Carson Reserve to the corporate limits of the Town of Beaufort and would provide that the annexed property, being navigable waters and property owned by the State, would not be subject to taxation by the Town of Beaufort.

EFFECTIVE DATE: The act would become effective June 30, 2019.

BACKGROUND: The Rachael Carson Reserve is a dedicated nature preserve owned by the State of North Carolina located between the mouths of the Newport and North Rivers directly across from the Town of Beaufort. The reserve consists of Town Marsh, Carrot Island, Horse Island, Bird Shoal, and Middle Marshes.¹

¹ <http://www.nccoastalreserve.net/web/crp/rachel-carson>

Karen Cochrane-Brown
Director



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Legislative Analysis
Division
919-733-2578