



SENATE BILL 201: Bolton, Dunn, Jacksonville Boundaries.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 17, 2020
Introduced by:	Sen. Britt	Prepared by:	Greg Roney
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *Senate Bill 201 would*

- *Correct a typographical error in the legal description of 2 parcels of land legislatively annexed into Bolton by Section 2 of S.L. 2005-141*
- *Deannex a parcel from Bolton*
- *Annex 2 parcels into Dunn*
- *Deannex a parcel from Jacksonville*

CURRENT LAW:

Deannexation: There is no statutory authority for a municipality to deannex property from its corporate limits therefore only the General Assembly may deannex property. Its authority derives from Section 1 of Article VII of the N.C. Constitution which empowers the General Assembly 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."

Annexation: North Carolina law establishes four ways in which property may be annexed into a municipality:

- **Legislative Act.** – The General Assembly has authority under Section 1 of Article VII of the State Constitution to extend the boundaries of any municipality.
- **Voluntary Annexation.** – The owners of all real property in an area contiguous to the municipality desiring to be annexed sign a petition requesting annexation (Part 1 of Article 4A of Chapter 160A).
- **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 (Part 4 of Article 4A of Chapter 160A).
- **Municipal Initiated Annexation subject to a referendum.** – The municipality initiates an annexation proceeding that must be approved by majority of the registered voters of the area proposed for annexation (Part 7 of Article 4A of Chapter 160A).

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ANALYSIS:

Section 1 would correct a typographical error in the plat book reference in the legal descriptions of the 2 parcels of land legislatively annexed into the corporate limits of the Town of Bolton by Section 2 of S.L. 2005-141.

Section 2 would deannex 1 of the parcels annexed by Section 2 of S.L. 2005-141 from the corporate limits of the Town of Bolton.

Section 3 would legislatively annex 2 satellite parcels into the corporate limits of the City of Dunn.

Section 4 would Deannex 1 parcel from the corporate limits of the City of Jacksonville.

EFFECTIVE DATE: Section 1 of the act would become effective when the bill becomes law. Sections 2, 3, and 4 would become effective June 30, 2020 and apply to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020.