



# SENATE BILL 242: Recreational Land Fee Changes.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2019-2020 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	June 17, 2019
<b>Introduced by:</b>	Sen. Burgin	<b>Prepared by:</b>	Samantha Yarborough* Staff Attorney
<b>Analysis of:</b>	Second Edition		

**OVERVIEW:** Senate Bill 242 would allow Harnett County to adopt a subdivision control ordinance to allow a developer to provide funds to the county to be used to acquire recreational land or areas and to develop and construct recreational facilities to serve the development or subdivision. The funds charged by the county may not exceed \$500 per residential construction lot.

### CURRENT LAW:

**Municipal Law:** G.S. 160A-372 states that a subdivision ordinance may provide for the provision of funds by a developer to be used by a municipality to acquire recreational areas to serve the residents of the subdivision or development, or more than one subdivision or development, within the immediate area. Funds received by a municipality may be used only for the acquisition or development of recreation, park, or open space sites. Any formula enacted to determine the amount of funds to be provided by a developer shall be based upon the value of the development for property tax purposes. A combination of funds and partial dedication of land may be allowed when the municipality determines that this combination is in the best interests of the area residents. G.S. 160A-372(c).

**County Law:** G.S. 153A-331 states that a subdivision ordinance may provide for the provision of funds by a developer to be used by a county to acquire recreational areas to serve the residents of the subdivision or development, or more than one subdivision or development, within the immediate area.

**BILL ANALYSIS:** Senate Bill 242 would allow Harnett County to adopt a subdivision control ordinance that provides for the provision of funds by a developer to be used by a county to also develop and construct recreational facilities to serve the residents of the subdivision or development, or more than one subdivision or development within the immediate area.

The funds charged by the county for these purposes under a subdivision control ordinance cannot exceed \$500 per residential construction lot.

**EFFECTIVE DATE:** The act would be effective when it becomes law.

**BACKGROUND:** A similar provision was enacted for Johnston County. (S.L. 2012-122).

*\*Brad Krehely and Howard Marsilio, attorneys with the Legislative Analysis Division, substantially contributed to this summary.*

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578