



# 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>	Senate State and Local Government. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Sen. Burgin	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

---

**OVERVIEW:** Senate Bill 242 would require Harnett County to use the moneys paid by a developer for the acquisition of recreational lands for that purpose only.

### 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 also 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 provide that Harnett County's use of funds under G.S.153A-331 must be used only for the purchase or development of recreation, park, or open space sites.

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

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

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578