



SENATE BILL 270: Durham Deannexation.

2019-2020 General Assembly

Committee:	House Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 26, 2019
Introduced by:	Sens. McKissick, Woodard	Prepared by:	Greg Roney
Analysis of:	First Edition		Staff Attorney

OVERVIEW: *Senate Bill 270 would remove 114.36 acres of property from the corporate limits of the City of Durham.*

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. However, the General Assembly has not enacted any method for municipalities to deannex property. Only the General Assembly may deannex property.

BILL ANALYSIS: Senate Bill 270 would deannex 114.36 acres of specified property from the corporate limits of the City of Durham.

EFFECTIVE DATE: Senate Bill 270 would become effective June 30, 2019. Property in the territory described in Section 1 of this act as of January 1, 2019, would no longer be subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2019.

BACKGROUND: The property owner requested the land be removed from Durham's city limits. The property was annexed in the anticipation of a northern Durham parkway and extension of utilities. The parkway and utility extension have not occurred. The City of Durham does not anticipate connecting the contiguous city limits with this satellite area. The City Council does not object to this deannexation.

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