



2021-2022 General Assembly

# HOUSE BILL 103: 2022 Appropriations Act, Sec. 5.7: Authorize Sanitary Districts to Create, Maintain, and Operate Parks and Recreation Programs and Facilities

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<b>Committee:</b>		<b>Date:</b>	July 27, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Kyle Evans
<b>Analysis of:</b>	Sec. 5.7 of S.L. 2022-74		Staff Attorney

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**OVERVIEW:** Section 5.7 of S.L. 2022-74 authorizes sanitary districts to provide for the creation, maintenance, and operation of parks and recreation programs and facilities. However, sanitary districts are prohibited from using the power of eminent domain to acquire real property for parks and recreation programs or facilities.

*This section became effective July 1, 2022.*

## CURRENT LAW & BILL ANALYSIS:

Sanitary districts are special purpose governments with taxing power and may also apply service charges and rates based upon the benefits derived. [G.S. 130A-55](#) authorizes sanitary districts to acquire, construct, maintain, and operate sewage collection, treatment, and disposal systems, as well as a broad variety of other utilities necessary for the preservation and promotion of public health and sanitary welfare. Sanitary districts are authorized to acquire (either through purchase, condemnation, or otherwise) interests in real property for the purposes of constructing or maintaining the works of the district. In addition, sanitary districts are authorized to acquire real property for the purposes of constructing medical clinics and operating non-profit cemeteries.

**Section 5.7** authorizes sanitary districts to provide for the creation, maintenance, and operation of parks and recreation programs and facilities. However, sanitary districts are prohibited from using the power of eminent domain to acquire real property for parks and recreation programs or facilities.

**EFFECTIVE DATE:** This section became effective July 1, 2022.

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