



HOUSE BILL 248: Spring Lake Charter Amendment.

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

2021-2022 General Assembly

Committee:	Senate State and Local Government. If	Date:	August 25, 2021
	favorable, re-refer to Rules and Operations of the Senate		
Introduced by:	Reps. Lucas, Richardson, Szoka, Wheatley	Prepared by:	Brad Krehely
Analysis of:	Second Edition		Committee Co-Counsel

OVERVIEW: House Bill 248 would amend the Charter of the Town of Spring Lake (Charter) to modify how its Board of Aldermen (Board) appoints the finance officer and the tax collector and what positions the Board may consolidate.

CURRENT LAW: The governing body of a municipality must appoint a tax collector (G.S. 105-349(a)). Municipalities must also have a finance officer appointed by the governing body or a designated official (G.S. 159-24). The tax collector and finance officer cannot be the same person unless the secretary of the Local Government Commission approves in writing (G.S. 105-349(e)).

The Town of Spring Lake (Town) operates under the council-manager form of government. The Town's governing body consists of a mayor and five members of a Board. The Charter requires the Board to appoint several positions including a town tax collector and town finance officer. Subject to the Local Government Budget and Fiscal Control Act, the Board may consolidate any two or more of these positions or assign the functions of any of these positions to those in other positions.

BILL ANALYSIS: House Bill 248 would remove the Charter requirement that the Board appoint the town finance officer and town tax collector. The Board would still be authorized to appoint the finance officer, but existing State law would authorize the Board to designate an official, such as the town supervisor, to appoint the finance officer. The Board would still be required to appoint a tax collector, but existing State law would authorize the Board to combine the positions of finance officer and tax collector, provided the Board obtains the written approval of the secretary of the Local Government Commission.

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

Jonathan Zator, Staff Attorney for the Legislative Analysis Division, contributed substantially to this summary.

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