



HOUSE BILL 385: Town of Sunset Beach/Deannexation/ETJ.

2021-2022 General Assembly

Committee:	House Local Government. If favorable, re- refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 29, 2021
Introduced by:	Rep. Iler	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	PCS to First Edition H385-CSBDxfr-22		

OVERVIEW: *House Bill 385 would remove certain described property from the corporate limits of the Town of Sunset Beach.*

The proposed committee substitute (PCS) would add additional parcels to be removed from the corporate limits of the Town of Sunset Beach; would remove various parcels from the extraterritorial jurisdiction (ETJ) of the Town of Sunset Beach; would prohibit the removed parcels from being subject to the ETJ of the Town of Sunset Beach; and would change the effective date.

CURRENT LAW: Under Section 1 of Article VII of the North Carolina 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: The PCS to House Bill 385 would remove various parcels from the corporate limits of the Town of Sunset Beach; would remove various parcels from the ETJ of the Town of Sunset Beach; and would prohibit the parcels removed from the corporate limits and removed from the ETJ from being subject to the ETJ of the Town of Sunset Beach.

EFFECTIVE DATE: The bill would become effective when it becomes law.

Jeffrey Hudson
Director



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Legislative Analysis
Division
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