



SENATE BILL 171: Belville/Wingate Sat. Annex./Surf Cty Deannex.

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 favorable, re-refer to Rules and Operations of the Senate	Date:	March 10, 2021
Introduced by:	Sen. Johnson	Prepared by:	Brad Krehely
Analysis of:	Second Edition		Committee Co-Counsel

OVERVIEW: Senate Bill 171 would exempt the Towns of Belville and Wingate from the 10% area cap on voluntary satellite annexation and remove one tract of land from the corporate limits of the Town of Surf City.

CURRENT LAW/BILL ANALYSIS:

Section 1: G.S. 160A-58.1 governs the voluntary municipal annexation of noncontiguous property, also known as voluntary satellite annexation.

If all property owners in a satellite area petition a municipality for voluntary annexation of the noncontiguous property, the municipality may annex the property, but only if certain are met. One criteria provides that the area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, cannot exceed 10% of the area within the primary corporate limits of the annexing city. To date, the General Assembly has exempted over 100 other municipalities from this requirement in G.S. 160A-58.1(b)(5).

Section 1 would add the Towns of Belville and Wingate to the list of municipalities exempted from the 10% area cap on voluntary satellite annexation.

Section 2: 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.

Section 2 would deannex one tract of land from the corporate limits of the Town of Surf City.

EFFECTIVE DATE: Section 1 would become effective when it becomes law. Section 2 would become effective June 30, 2021, and would apply to tax years beginning July 1, 2021.

* Nicholas Giddings, Staff Attorney for the Legislative Analysis Division, contributed substantially to the drafting of this summary.

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