



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

SENATE BILL 221: Durham - Board of Adjustment Virtual Meetings.

2021-2022 General Assembly

Committee:	Senate Judiciary	Date:	May 10, 2021
Introduced by:	Sens. Woodard, Murdock	Prepared by:	Kristen L. Harris Committee Co-Counsel
Analysis of:	First Edition		

OVERVIEW: Senate Bill 221 would require the Durham Board of Adjustment to continue quasi-judicial hearings when one or more persons with standing do not consent to the remote hearing.

CURRENT LAW AND BACKGROUND:

G.S.166A-19.24 became law as part of S.L. 2020-3, COVID-19 Recovery Act, and allows for remote meetings during declarations of emergency. Quasi-judicial hearings may be held when: 1) the right of an individual to a hearing and decision occur during the emergency; 2) all persons subject to the hearing who have standing have received notice and consent to the remote hearing; and 3) all due process rights are protected.

BILL ANALYSIS:

Section 1 would require the Durham Board of Adjustment to continue a remote quasi-judicial hearing if one or more persons with standing do not consent to the remote hearing. The hearing would be continued indefinitely until such time the Board of Adjustment is able to meet in-person or 30 days, whichever is sooner.

Section 2 the act would only apply to Durham County.

EFFECTIVE DATE: The act would be effective when it becomes law and apply to proceedings initiated on or after that date.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578