



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

2021-2022 General Assembly

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<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	May 11, 2021
<b>Introduced by:</b>	Sens. Woodard, Murdock	<b>Prepared by:</b>	Kristen L. Harris
<b>Analysis of:</b>	Second Edition		Staff Attorney

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**OVERVIEW:** *Senate Bill 221 would require the Durham Board of Adjustment (the Board) 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 (the Board) 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 until such time the Board is able to meet in-person or until the next regularly scheduled remote hearing or remote emergency hearing.

**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.

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