



HOUSE BILL 300: Rockingham County/Public Notices.

2023-2024 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:	May 16, 2023
Introduced by:	Rep. Pyrtle	Prepared by:	Billy Godwin
Analysis of:	PCS to First Edition H300-CSCLfa-26		Alex Ramirez Staff Attorneys

OVERVIEW: *House Bill 300 would do the following:*

- *Authorize Rockingham County, the Rockingham County Board of Elections, and the municipalities located wholly or partly within Rockingham County to adopt an ordinance authorizing electronic publication of public notices and advertisements on their local government websites in lieu of, or in addition to, newspaper publication.*
- *Authorize the Rockingham County Board of Commissioners to adopt an ordinance allowing electronic publication of general legal notices on the website of the County in lieu of newspaper publication.*

The Proposed Committee Substitute (PCS) to House Bill 300 corrected the long title.

CURRENT LAW: North Carolina law requires various general legal notices and advertisements to be published in a newspaper of general circulation in the area impacted by the legal notice. Examples include judicial sales under Article 29A of Chapter 1 of the General Statutes, administration of estates under Chapter 28A of the General Statutes, and execution sales under Article 29B of Chapter 1 of the General Statutes.

The General Statutes, and sometimes local acts, also require governing boards of counties and cities to publish notice or to advertise in a newspaper qualified under G.S. 1-597 prior to taking certain actions. Examples include notice or advertisement of the following:

- Public hearings pertaining to development regulations such as adoption of zoning or subdivision ordinances, rezoning of existing parcels, and special use permits. G.S. Chapter 160D.
- Adoption of a budget ordinance. G.S. Chapter 159.
- Consideration of the sale and disposition of property. G.S. Article 12 of Chapter 160A.
- Solicitation of bids for public contracts. Article 8 of Chapter 143.
- Changes in form of government. Article 4 of Chapter 153A and Article 5 of Chapter 160A.
- Special assessments. Article 9 of Chapter 153A and Article 10 of Chapter 160A.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

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BILL ANALYSIS:

The PCS to House Bill 300 would do the following:

- Allow certain governing boards in Rockingham County to adopt an ordinance authorizing electronic publication of public notices and advertisements required to be published by that governing board. Such electronic notice could be in lieu of, or in addition to, newspaper publication. The ordinance may also control public notices and advertisements of any board appointed by the governing body such as the Planning Board and the Health and Human Services Board. The governing boards that may adopt such an ordinance are:
 - The Rockingham County Board of Commissioners.
 - The Rockingham County Board of Elections.
 - The governing boards of any municipality located wholly or partly within Rockingham County. Those municipalities are Eden, Madison, Mayodan, Reidsville, Stoneville, and Wentworth.
- Authorize Rockingham County to adopt an ordinance to electronically publish on a website maintained by the County any legal notice or advertisement normally required by law to be published in a newspaper.

EFFECTIVE DATE: This act would be effective December 1, 2023, and apply to notices published on or after that date.

BACKGROUND: The following local governments are permitted to use electronic notice for public hearings: Cabarrus County (S.L. 2003-81), Guilford County (S.L. 2017-210), City of Raleigh and Town of Lake Waccamaw (S.L. 2003-161), Towns of Apex, Garner, and Knightdale (S.L. 2007-86), and Town of Cary (S.L. 2008-5).