



# HOUSE BILL 438: Franklin/Granville Recognized Common Boundary.

2023-2024 General Assembly

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<b>Committee:</b>	House Local Government. If favorable, re- refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 4, 2023
<b>Introduced by:</b>	Rep. Winslow	<b>Prepared by:</b>	Billy Godwin Anna Parsons Staff Attorneys
<b>Analysis of:</b>	First Edition		

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**OVERVIEW:** *House Bill 438 would stay the conclusiveness of the North Carolina Geodetic Survey (NCGS) of the common boundary between Franklin County and Granville County to allow Franklin County and Granville County to survey the currently recognized common boundary.*

**CURRENT LAW:** G.S. 153A-18(a) establishes a process by which counties can alter their boundary lines if those lines are uncertain or ambiguous. When adjoining counties are uncertain as to the exact location of the boundary between them, the affected counties' governing boards may formally request that the NCGS perform a survey to help reestablish the boundary line. Once completed, the NCGS survey map reestablishing the boundary line is presented to the affected counties for consideration. If the governing boards of the counties fail to ratify the reestablished boundary line within one year of receiving the NCGS survey map denoting the location of the reestablished boundary line, the NCGS survey map becomes conclusive as to the location of the boundary line. The NCGS survey map is then recorded with the Register of Deeds in each affected county and with the Secretary of State's office. The chief of the NCGS notifies affected parties in writing of the action taken. If the disputed boundary is not resolved by the procedure in G.S. 153A-18(a), then any of the counties may apply to a superior court judge with jurisdiction to appoint a boundary commission to resolve the disputed boundary.

Franklin County and Granville County invoked G.S. 153A-18(a) to resolve the disputed boundary between the two counties and a boundary line was surveyed by the NCGS. The resulting NCGS survey boundary was different than the GIS boundary that each county recognized and operated under and neither county board has ratified the NCGS.

**BILL ANALYSIS:** House Bill 438 would stay the one-year period under G.S. 153A-18(a) after which the NCGS boundary survey map would become the boundary line between Franklin County and Granville County and would provide that the NCGS boundary would not become conclusive unless either of the following occur:

- The boundary line, as established by the NCGS survey map, is ratified by Franklin County and Granville County.
- On January 1, 2026, the boundary line, as established by the NCGS survey map, is not ratified by Franklin County and Granville County, and the General Assembly has taken no action to amend or modify the legal boundary between Franklin County and Granville County.

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House Bill 438 would also direct Franklin County and Granville County to have surveyed, the GIS Boundary line currently being used by both counties as the operative boundary line and to submit that line to the General Assembly for ratification, no later than April 30, 2025.

**EFFECTIVE DATE:** The bill is effective when it becomes law.