



HOUSE BILL 909: Fuquay-Varina/Deannex, Wake/ID Bureau Update.

2023-2024 General Assembly

Committee:		Date:	June 5, 2024
Introduced by:	Rep. Paré	Prepared by:	Greg Roney
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: House Bill 909 would:

- Remove nine tracts of land from the corporate limits of the Town of Fuquay-Varina
- Amend and restate the local laws relating to the Bureau of Identification for Wake County

CURRENT LAW: Under Section 1 of Article VII of the NC 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.

BILL ANALYSIS:

Section 1 of House Bill 909 would remove nine tracts of land from the corporate limits of the Town of Fuquay-Varina.

Section 2 of House Bill 909 would amend and restate in its entirety the local law creating the Bureau of Identification for Wake County ("Bureau"). The Bureau was originally created in 1937, and the local laws were amended in 1961, 1975, 1977, and 1987. Since 1937 and continuing with this restatement, the Bureau's duties include fingerprinting and photographing all persons arrested in Wake County and providing crime scene examination and other forensic services.

Section 3 of House Bill 909 would repeal a local law related to the Bureau that was not codified into the authorizing statute for the Bureau. Section 2 of House Bill 909 places all language related to the Bureau into the local law.

EFFECTIVE DATE: Section 1 of the bill would become effective June 30, 2024, and apply to tax years beginning on or after July 1, 2024. Sections 2 and 3 of the bill would become effective when the bill becomes law.

BACKGROUND: The territory described in section 1 of this bill is the same territory described in House Bill 5, passed by the House of Representatives on March 7, 2023, and currently in conference committee.

Jeffrey Hudson
Director



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Legislative Analysis
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