

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**HOUSE BILL 2367**

Short Title: Involuntary Annexation Moratorium. (Public)

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Sponsors: Representatives Goforth, Luebke, Dollar, Steen (Primary Sponsors); Allred, Avila, Barnhart, Blackwood, Blust, Boylan, Brisson, Brown, Brubaker, Cleveland, Coates, Coleman, Current, England, Faison, Folwell, Hall, Hilton, Holmes, Hurley, Johnson, Justice, Justus, Killian, Kiser, Langdon, McComas, McElraft, Moore, Neumann, Pate, Samuelson, Starnes, Thomas, Tillis, Walend, Walker, Womble, and Yongue.

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Referred to: Finance, if favorable, Judiciary II.

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May 21, 2008

A BILL TO BE ENTITLED

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2 AN ACT TO ADOPT A MORATORIUM ON INVOLUNTARY ANNEXATIONS, AS  
3 RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON MUNICIPAL  
4 ANNEXATION.

5 The General Assembly of North Carolina enacts:

6       **SECTION 1.** No resolution of consideration, resolution of intent, or  
7 annexation ordinance may be adopted under Part 2 or 3 of Article 4A of Chapter 160A  
8 of the General Statutes from the date this act becomes law until June 30, 2009. If any  
9 annexation proceeding has been initiated under those Parts prior to the date this act  
10 becomes effective but the annexation ordinance has not yet been adopted, any provision  
11 of law requiring any action or notice by the municipality or any person within a certain  
12 period of time is tolled during the suspension of authority provided by this section.

13       **SECTION 2.** An annexation ordinance adopted under Part 2 or 3 of Article  
14 4A of Chapter 160A of the General Statutes that has an effective date on or after the day  
15 this act becomes law shall not become effective until after June 30, 2009, unless the  
16 municipality by ordinance adopts a new effective date later than June 30, 2009, for the  
17 annexation ordinance. An annexation ordinance that was adopted under Part 2 or 3 of  
18 Article 4A of Chapter 160A of the General Statutes prior to the effective date of this act  
19 and is the subject of litigation in any court on the effective date of this act shall not  
20 become effective until after June 30, 2009, unless the municipality by ordinance adopts  
21 a new effective date later than June 30, 2009, for the annexation ordinance.

22       **SECTION 3.** This act shall not apply to any annexation ordinance adopted  
23 under Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes that has an

1 effective date on or before the day this act becomes law, if the ordinance is not yet  
2 effective solely due to section 5 of the Voting Rights Act of 1965.

3           **SECTION 4.** If any municipality has adopted its budget ordinance for the  
4 2008-2009 fiscal year prior to the date this act becomes effective and the total amount  
5 of assessed valuation estimated in that budget ordinance has been reduced because of  
6 this act, the municipality may amend the budget ordinance to account for this act  
7 including establishment of a different tax rate.

8           **SECTION 5.** This act is effective when it becomes law.