

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 2367**  
**Committee Substitute Favorable 6/25/08**  
**Third Edition Engrossed 7/2/08**

Short Title: Involuntary Annexation Moratorium.

(Public)

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Sponsors:

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Referred to:

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May 21, 2008

A BILL TO BE ENTITLED

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

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 May 31, 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 Nothing in this section shall prohibit municipalities from developing policies, planning,  
14 collecting data, or developing materials with respect to potential future annexations  
15 under Part 2 or 3 of Article 4A of Chapter 160A.

16 **SECTION 2.** An annexation ordinance adopted under Part 2 or 3 of Article  
17 4A of Chapter 160A of the General Statutes that has an effective date on or after the day  
18 this act becomes law shall not become effective until May 31, 2009, unless the  
19 municipality by ordinance adopts a new effective date later than May 31, 2009, for the  
20 annexation ordinance. An annexation ordinance that was adopted under Part 2 or 3 of  
21 Article 4A of Chapter 160A of the General Statutes prior to the effective date of this act  
22 and is the subject of litigation in any court on the effective date of this act shall not  
23 become effective until after May 31, 2009, unless the municipality by ordinance adopts  
24 a new effective date later than May 31, 2009, for the annexation ordinance.

25 **SECTION 3.** This act shall not apply to any annexation ordinance adopted  
26 under Part 2 or 3 of Article 4A of Chapter 160A of the General Statutes that has an  
27 effective date on or before the day this act becomes law, if the ordinance is not yet  
28 effective solely due to section 5 of the Voting Rights Act of 1965.

1           **SECTION 4.** If any municipality has adopted its budget ordinance for the  
2 2008-2009 fiscal year prior to the date this act becomes effective and the total amount  
3 of assessed valuation estimated in that budget ordinance has been reduced because of  
4 this act, the municipality may amend the budget ordinance to account for this act  
5 including establishment of a different tax rate.

6           **SECTION 5.** This act becomes effective August 31, 2008.