

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 12\***

Short Title: Municipal Incorporation Population Estimates. (Public)

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Sponsors: Senators Hartsell, Hagan; and Carpenter.

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Referred to: Judiciary II.

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January 29, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO USE ANNUAL POPULATION ESTIMATES RATHER THAN THE  
3 DECENNIAL CENSUS WHEN DETERMINING ELIGIBILITY FOR  
4 INCORPORATION OF NEW MUNICIPALITIES WHICH ARE IN PROXIMITY  
5 TO EXISTING MUNICIPALITIES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 120-166(a) reads as rewritten:

8 "(a) The Commission may not make a positive recommendation if the proposed  
9 municipality is located within one mile of a municipality of 5,000 to 9,999, within three  
10 miles of a municipality of 10,000 to 24,999, within four miles of a municipality of  
11 25,000 to 49,999, or within five miles of a municipality of 50,000 or over, according to  
12 the most recent ~~decennial federal census, or according to the most recent annual~~  
13 estimate of the Office of State Budget, Planning, and ~~Management if the municipality~~  
14 ~~was incorporated since the return of that census.~~ Management."

15 **SECTION 2.** This act becomes effective with respect to all petitions for  
16 municipal incorporation submitted on or after December 1, 2001, under Article 20 of  
17 Chapter 120 of the General Statutes.