

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 190
Corrected Copy 5/20/19

Short Title: Expand Special Assessments for Dam Repair. (Public)

Sponsors: Senator McInnis (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 6, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE AUTHORIZATION FOR A COUNTY TO IMPOSE A SPECIAL
3 ASSESSMENT FOR DAM REPAIR.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-210.1(b) reads as rewritten:

6 "(b) Sunset. – This Article expires July 1, 2020, for projects that have not been approved
7 under a final assessment resolution. For projects authorized in G.S. 153A-210.2(a1), this Article
8 expires July 1, ~~2019~~-2022. The expiration does not affect the validity of assessments imposed or
9 to be imposed or bonds issued or authorized or to be issued or authorized under the provisions of
10 this Article if a final assessment resolution has been adopted prior to the effective date of the
11 expiration."

12 **SECTION 2.** G.S. 153A-210.2(a1) reads as rewritten:

13 "(a1) Dam Repair Project. – The board of commissioners of a county may make special
14 assessments as provided in this Article against property that is contiguous to a lake, and benefits
15 from access to the same lake, for the purpose of repairing the dam of that lake. The provisions of
16 this subsection only apply to ~~a~~the following:

- 17 (1) A privately owned dam formerly used for textile mill purposes, forming a lake
18 between 225 and 325 acres in area.
19 (2) A privately owned dam formerly used for recreational and flood control
20 purposes, forming a lake between 1,100 and 1,300 acres. The authority
21 provided in this subdivision applies only if all of the following conditions are
22 met:

23 a. The board of county commissioners directs the county board of
24 elections to conduct an advisory referendum on the question of
25 whether to make the special assessment authorized in this subdivision.

26 b. The election is held in accordance with the procedures of
27 G.S. 163A-1592, and the form of the question to be presented on the
28 ballot concerning the special assessment authorized by this
29 subdivision is as follows:

30 "[] FOR [] AGAINST

31 Special assessment for repairing a dam formerly used for recreational
32 and flood control purposes and forming a lake between 1,100 and
33 1,300 acres."

34 c. A majority of those voting in the referendum vote for the special
35 assessment authorized in this subdivision.



1 d. The board of county commissioners, by resolution and after 10 days'
2 public notice, makes the special assessment authorized in this
3 subdivision."

4 **SECTION 3.** This act is effective when it becomes law.