

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2020-37
SENATE BILL 286

AN ACT TO AMEND FIRE PROTECTION FEE PROCEDURES REGARDING CERTAIN
ANNEXED AREAS IN BRUNSWICK AND UNION COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 1 of S.L. 1999-323, as amended by S.L. 2001-74, Section 2 of S.L. 2007-355, and S.L. 2017-60, reads as rewritten:

"**Section 1.** Fee-supported fire districts.

...

"**Section 1.(h)** Annexation of District. – When any portion of a fee-supported fire district has been annexed by a municipality furnishing fire protection to its citizens, and the municipality has not agreed to allow territory within it to be in the district, then the portion of the district annexed is no longer part of a fee-supported district. For the purposes of this section and regardless of the actual effective date of annexation, the date of annexation shall be considered to be a date in the month of June. When any portion of a fee-supported fire district is annexed by a municipality furnishing fire protection to its citizens, there is debt associated with the prior fee-supported district providing the fire protection to that area, an assumption of debt shall be paid to the fee-supported district at a rate of not less than one-half the fees that are collected from the annexed area for a period of not less than three years. This shall in no way limit or restrict a municipality from contracting with a fee-supported district to provide fire protection services nor shall it require a fee-supported district to provide fire protection services without an additional contract.

"**Section 1.(h1)** Alternative for Certain Annexations. – When any portion of a fee-supported fire district has been annexed as a noncontiguous area as set forth in Part 4 of Article 4A of Chapter 160A of the General Statutes, then notwithstanding subsection (h) of this section, the area so annexed shall continue to remain a part of and pay fees to the fee-supported fire district.

"**Section 1.(i)** Abolition of District. – Upon finding that there is no longer a need for a given fee-supported fire district, the board of commissioners may repeal the resolution establishing the district and thus abolish the district.

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SECTION 2. G.S. 153A-236, as it applies to Union County pursuant to Chapter 883 of the 1991 Session Laws, as amended by Chapter 61 of the 1995 Session Laws, S.L. 1999-39, and S.L. 2010-84, reads as rewritten:

"§ **153A-236.** **Fee-supported fire districts.**

...

(h) Annexation of District. – When any portion of a fee-supported fire district has been annexed by a municipality furnishing fire protection to its citizens, and the municipality has not agreed to allow territory within it to be in the district, then the portion of the district annexed is no longer part of a fee-supported district. For the purposes of this section and regardless of the actual effective date of annexation, the date of annexation shall be considered to be a date in the month of June.



(h1) Alternative for Certain Annexations. – When any portion of a fee-supported fire district has been annexed as a noncontiguous area as set forth in Part 4 of Article 4A of Chapter 160A of the General Statutes, then notwithstanding subsection (h) of this section, the area so annexed shall continue to remain a part of and pay fees to the fee-supported fire district.

...."

SECTION 3. Section 1 of this act applies only to Brunswick County. Section 2 of this act applies only to Union County.

SECTION 4. This act is effective when it becomes law and expires on June 30, 2049. In the General Assembly read three times and ratified this the 25th day of June, 2020.

s/ Philip E. Berger
President Pro Tempore Officer of the Senate

s/ David R. Lewis
Presiding Officer of the House of Representatives