

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 336

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

H336-ATE-1 [v.4]

Page 1 of 2

Amends Title [YES]  
First Edition

Date \_\_\_\_\_, 2019

Senator Perry

1 moves to amend the bill on page 1, line 3 by rewriting the line to read:  
2 "TOWN OF SPENCER MOUNTAIN AND TO TEMPORARILY SUSPEND THE CHARTER  
3 OF THE TOWN OF EUREKA.";

4  
5 and on page 1, lines 7-8 by inserting the following between those lines:

6 "SECTION 1.5.(a). The Charter of the Town of Eureka in Wayne County, being  
7 Chapter 90 of the Private Laws of 1879, as amended by Chapter 186 of the Private Laws of 1901,  
8 as amended by Chapter 459 of the Session Laws of 1949, Chapter 136 of the Session Laws of  
9 1959, Chapter 689 of the Session Laws of 1967, and Chapter 70 of the Session Laws of 1981, is  
10 suspended.

11 SECTION 1.5.(b). Upon completion of the annual audit for fiscal year 2018-2019,  
12 no annual audit shall be required for any fiscal year, or any portion thereof, during the period of  
13 suspension.

14 SECTION 1.5.(c). The Wayne County Board of Elections shall not conduct any  
15 elections for mayor or commissioner of the Town during the period of suspension. Any individual  
16 serving as an elected official for the Town of Eureka as of July 1, 2019, may continue to use their  
17 public titles and participate as elected officials in organizations dedicated to serving  
18 municipalities during the period of suspension.

19 SECTION 1.5.(d). All monies and assets held by the Town of Eureka shall be placed  
20 under the control of the State Treasurer to be held and used for the Town of Eureka. Article 3 of  
21 Chapter 159 of the General Statutes, The Local Government Budget and Fiscal Control Act, shall  
22 not apply during the period suspension. Any monies due to the Town from the State, and all other  
23 monies due and payable to the Town, shall be collected by the State Treasurer to be held and  
24 used for the Town.

25 SECTION 1.5.(e). The State Treasurer shall determine how the monies and assets  
26 placed under the control of the State Treasurer shall be held and may require an annual report or  
27 accounting on those monies and assets.

28 SECTION 1.5.(f). If the State Treasurer determines that another unit of local  
29 government is due monies from the Town in installments that would constitute twenty percent  
30 (20%) or more of the unit of local government's monthly revenue for a fund to which the  
31 installments from the Town are credited, the unit of local government is deemed to be in default



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1 on a future debt service payment if the financial policies and practices of the unit of local  
2 government are not improved for purposes of Article 11 of Chapter 159 of the General Statutes.  
3 **SECTION 1.5.(g).** This section becomes effective July 1, 2019, and expire June 30,  
4 2024.".

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

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and vote information, is available in the  
Senate Principal Clerk's Office**