

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 211

A1

AMENDMENT NO. _____

(to be filled in by
Principal Clerk)

H211-AST-106 [v.1]

Page 1 of 2

Amends Title [YES]
Fifth Edition

Date _____, 2022

Senator Johnson

1 moves to amend the bill on page 1, line 3, by deleting "DISTRICTS." and substituting
2 "DISTRICTS AND TO CLARIFY A REAL PROPERTY OWNER DENIED WATER OR
3 SEWER SERVICE TO PROPERTY SUBJECT TO AN ANNEXATION AGREEMENT
4 BETWEEN LOCAL GOVERNMENTS IS ALLOWED TO SEEK OTHER SERVICE OR
5 PETITION THE COURT FOR RELIEF.";

6
7
8
9
10 and on page 9, lines 1-2, by rewriting those lines to read:

11
12 **"RELIEF FOR PROPERTY OWNERS SUBJECT TO ANNEXATION AGREEMENTS**
13 **BETWEEN LOCAL GOVERNMENTS**

14 **SECTION 5.(a)** G.S. 160A-317 is amended by adding a new subsection to read:

15 "(e) The owner of real property subject to an agreement under Part 6 of Article 4A or
16 Article 20 of Chapter 160A of the General Statutes that is denied connection to water or sewer
17 by a city may, notwithstanding the agreement, seek to obtain water or sewer from any other unit
18 of local government. If a court order impacts the provision of water or sewer to real property, the
19 owner of real property denied the provision of water or sewer shall have standing to petition the
20 court for an order for appropriate relief and the court shall, as promptly as possible, set any such
21 petition for hearing. For purposes of this subsection, "impacts" shall include any effect or
22 ramification that prevents the owner of real property from seeking voluntary annexation by a city
23 capable of providing water or sewer to that real property."

24 **SECTION 5.(b)** G.S. 153A-284 is amended by adding a new subsection to read:

25 "(d) The owner of real property subject to an agreement under Article 20 of Chapter 160A
26 of the General Statutes that is denied connection to water or sewer by a county may,
27 notwithstanding the agreement, seek to obtain water or sewer from any other unit of local
28 government. If a court order impacts the provision of water or sewer to real property, the owner
29 of real property denied the provision of water or sewer shall have standing to petition the court
30 for an order for appropriate relief and the court shall, as promptly as possible, set any such petition
31 for hearing. For purposes of this subsection, "impacts" shall include any effect or ramification



* H 2 1 1 - A S T - 1 0 6 - V - 1 *

ADOPTED

AMENDMENT
House Bill 211

A1

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

H211-AST-106 [v.1]

Page 2 of 2

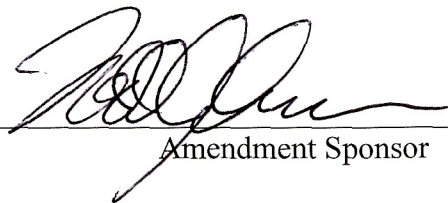
1 that prevents the owner of real property from seeking voluntary annexation by a city capable of
2 providing water or sewer to that real property."

3 **SECTION 5.(c)** This section is effective when it becomes law and applies to court
4 orders, annexation agreements, and interlocal agreements existing on or after that date.

5
6 **EFFECTIVE DATE**

7 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
8 law."
9
10
11

SIGNED _____



Amendment Sponsor

SIGNED _____

Committee Chair if Senate Committee Amendment

ADOPTED _____

FAILED _____

TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**