

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 432*

Short Title: Water and Sewer Authorities.

(Public)

Sponsors: Senator Kerr.

Referred to: Finance.

March 13, 2001

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW NONPROFIT WATER CORPORATIONS TO JOIN CERTAIN
2 WATER AND SEWER AUTHORITIES.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 162A-3(a) reads as rewritten:

5 "(a) The governing body of a single county or the governing bodies of any two or
6 more political subdivisions may by resolution signify their determination to organize an
7 authority under the provisions of this Article. For the purpose of this section, if there are
8 three or more political subdivisions organizing the authority, they may be joined in
9 organizing the authority by not to exceed two nonprofit water corporations, which shall
10 be considered to be political subdivisions for the purposes of this Article. Each of such
11 resolutions shall be adopted after a public hearing thereon, notice of which hearing shall
12 be given by publication at least once, not less than 10 days prior to the date fixed for
13 such hearing, in a newspaper having a general circulation in the political subdivision.
14 Such notice shall contain a brief statement of the substance of the proposed resolution,
15 shall set forth the proposed articles of incorporation of the authority and shall state the
16 time and place of the public hearing to be held thereof. No such political subdivision
17 shall be required to make any other publication of such resolution under the provisions
18 of any other law."

19 **SECTION 2.** G.S. 162A-3.1(a) reads as rewritten:

20 "(a) As an alternative to the procedure set forth in G.S. 162A-3, the governing
21 body of a single county or the governing bodies of any two or more political
22 subdivisions may by resolution signify their determination to organize an authority
23 under the provisions of this section of this Article. For the purpose of this section, if
24 there are three or more political subdivisions organizing the authority, they may be
25 joined in organizing the authority by not to exceed two nonprofit water corporations,
26 which shall be considered to be political subdivisions for the purposes of this Article.
27 Each of such resolutions shall be adopted after a public hearing thereon, notice of which
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1 hearing shall be given by publication at least once, not less than 10 days prior to the date
2 fixed for such hearing, in a newspaper having a general circulation in the political
3 subdivision. Such notice shall contain a brief statement of the substance of the proposed
4 resolution, shall set forth the proposed articles of incorporation of the authority and shall
5 state the time and place of the public hearing. No such political subdivision shall be
6 required to make any other publication of such resolution under the provisions of any
7 other law."

8 **SECTION 3.** The creation of any Water and Sewer Authority under Article
9 1 of Chapter 162A of the General Statutes on or after July 1, 2000, but before this act
10 became law, that would have been permitted under that Article, as amended by Sections
11 1 and 2 of this act, is validated and confirmed as to the membership of nonprofit water
12 corporations.

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