

Municipal Annexations: Census Impacts of Non-compliance with NCGS §160A-58.61

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Geographic Information Coordinating Council
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NC Department of the Secretary of State
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Requirements to record annexations

- ▶ Municipalities enlarging their boundaries must record
 - ▶ An accurate map and
 - ▶ The certified ordinance
 - ▶ At their register of deeds' office
AND
 - ▶ At the **NC Secretary of State's office.**

Mixed Messages to Municipalities

- ▶ You must file the required documents with the Secretary of State no later than 30 days from the effective date of the annexation ordinance,
- ▶ BUT then the mixed message:
 - ▶ “Failure to file within 30 days shall not affect the validity of the annexation.”

Affect on US Census

- ▶ The US Census relies upon the Secretary of State's annexation records as the authoritative source for annexations in North Carolina
- ▶ If an annexation is not filed with the Secretary of State, it will not be certified to the Census Bureau
- ▶ Therefore, residents in the annexed area will NOT be counted as residing in that municipality

The Consequence?

- ▶ Municipalities that fail to file annexations with the Secretary of State **lose funding from state and federal sources**
- ▶ How much?
 - ▶ An estimated \$1,600 per person/per year over 10 years or **\$16,000** per uncounted resident!
 - ▶ Despite years of outreach to municipal clerks, compliance is still a real issue

Why is compliance such an issue?

- ▶ “Requirement” is viewed as optional because it doesn’t affect the ability of the municipality to begin taxing new residents
- ▶ Smaller towns have smaller/part-time staff
- ▶ Infrequent annexation activity means that staff may not be familiar with all statutory requirements
- ▶ Inadequate maps are frequently an issue for filings that make it to our office

Solutions?

Amend statutes to:

- Make the filing with the Secretary of State truly mandatory
- Require that municipality to present NCSOS certified documents to their county tax office before municipal tax status is changed
- GICC is uniquely positioned to take up this issue to create a truly workable solution

Questions?

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