

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 909
Committee Substitute Favorable 5/22/24

Short Title: Fuquay-Varina/Deannex, Wake/ID Bureau Update. (Local)

Sponsors:

Referred to:

April 25, 2024

A BILL TO BE ENTITLED

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF FUQUAY-VARINA AND TO AMEND AND RESTATE THE LOCAL LAWS RELATING TO THE BUREAU OF IDENTIFICATION FOR WAKE COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is removed from the corporate limits of the Town of Fuquay-Varina:

TRACT I

BEING all of Lot 1, Minor Subdivision and Recombination, Black Creek Estates, as shown on that map recorded in Book of Maps 2019, Page 1300, Wake County Registry, reference to which is hereby made for a more complete and accurate description of same. See Deed Book 17535, Page 1659, Wake County Registry.

TRACT II

BEING all of Recombined Lot 2, Black Creek Estates, according to a plat entitled LOT RECOMBINATION, BLACK CREEK ESTATES, OWNED BY, SURVEY AND MAPPED FOR MORGAN DEVELOPMENT COMPANY, LLC, TOWN OF FUQUAY VARINA, MIDDLE CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA, according to plat prepared by Stancil & Associates, Professional Land Surveyor, P.A., dated 07-01-2019, and recorded in Book of Maps 2019, Page 2001, Wake County Registry, reference to which is hereby made for a more complete and accurate description of same. See Deed Book 17807, Page 1547 and Deed Book 16641, Page 694, Wake County Registry.

TRACT III

BEING all of Lot 3, Black Creek Estates, as shown on that recombination map recorded in Book of Maps 2019, Page 2001, Wake County Registry.

TRACT IV

BEING all of Lot 4 as shown on that plat entitled "Lot Recombination Black Creek Estates" recorded in Book of Maps 2019, Page 2001, Wake County Registry.

TRACT V

BEING all of Lot 5 as shown on that plat entitled "Lot Recombination Black Creek Estates" recorded in Book of Maps 2019, Page 2001, Wake County Registry.

TRACT VI

Lots 6 and 7 as depicted on that plat entitled "Lot Recombination and Buffer Removal Black Creek Estates" recorded in Book of Maps 2019, Page 1889, Wake County Registry.

TRACT VII



Lot 7, as shown on the map entitled "Lot Recombination and Buffer Removal, Black Creek Estates", recorded in Book of Maps 2019, Page 1889, Wake County Registry.

TRACT VIII

BEING all of Lot 8, as shown on the map entitled "Lot Recombination and Buffer Removal Black Creek Estates", recorded in Book of Maps 2019, Page 1889, Wake County Registry.

TRACT IX

BEING all of Lot 9, Black Creek Estates, as shown on the map recorded in Book of Maps 2019, Page 1889, Wake County Registry.

SECTION 1.(b) This section has no effect upon the validity of any liens of the Town of Fuquay-Varina for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Fuquay-Varina.

SECTION 1.(c) This section becomes effective June 30, 2024. Property in the territory described in Section 1(a) of this act as of January 1, 2024, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

SECTION 2. Chapter 535 of the Public-Local Laws of 1937, as amended by Chapter 860 of the 1961 Session Laws, by Chapter 505 of the 1975 Session Laws, by Chapter 350 of the 1977 Session Laws, and by Chapter 914 of the 1987 Session Laws, is rewritten to read:

"SECTION 1. That in order to provide for the performance of the duties hereinafter designated and defined for the better enforcement of the criminal laws in Wake County, there is hereby created and established a Bureau of Identification for Wake County. The Bureau may hereafter be referred to as a multidisciplinary forensic services agency and is authorized to adopt any department name in accordance with Wake County policy and subject to Wake County Manager approval pursuant to G.S. 153A-82.

"SECTION 2. That on the 1st day of July, 2024, the District Attorney of the Tenth Prosecutorial District and the County Manager of Wake, shall appoint a Director of the Bureau for a term of four years and then every four years thereafter, who will be under the supervision of the District Attorney for the Tenth Prosecutorial District. Whenever a vacancy occurs in this position during the term, the District Attorney for the Tenth Prosecutorial District and the County Manager of Wake shall appoint a qualified person to serve as Director for the period of the unexpired term. The Director may be terminated from appointment only by unanimous decision of the District Attorney of the Tenth Prosecutorial District and the Wake County Manager. The compensation and expenses of the Director shall be included in the annual budget prepared by the Wake County Manager.

"SECTION 3. As requested, the Bureau shall fingerprint and photograph all persons arrested in Wake County in accordance with NC general statutes; provide crime scene examination and other forensic services for which the Bureau has capability to all law enforcement and prosecutorial agencies for those criminal investigations having original jurisdiction within the geographical County of Wake.

"SECTION 4. That Wake County shall provide for and incur the cost for suitable office space, equipment, and salaries for employees of the Bureau.

"SECTION 5. That nothing in this act shall be construed as increasing the number of deputy sheriffs for Wake County, but any employees of the Bureau who are sworn law enforcement officers shall be eligible for annual recertification as deputy sheriffs, provided they meet the minimum requirements for LEO certification established by the Sheriffs' Training & Standards Division.

"SECTION 6. To the extent this Act conflicts with any provision of law, this Act supersedes that provision."

SECTION 3. Section 1 of Chapter 350 of the 1977 Session Laws is repealed.

1 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
2 law.