

**Today and Tomorrow: TACIR's Work Program
Fiscal Year 2012
Amendment 1**

1. The work program is amended from a fiscal year basis to a calendar year basis. The amended work program is extended until the passage of the work program for calendar year 2013.
2. The work program is amended to add studies of bills that were requested by the 107th General Assembly. Those bills are grouped by major category (eminent domain, land use regulation, zoning regulations, blight, governmental transparency, and homeowners associations) and relevant subcategory.

107th General Assembly Requests: 2012

I. EMINENT DOMAIN

- **Eminent Domain:** [SB 1566 (Ketron)/HB 1576 (Carr, Faison, Womick, Gotto)]: Revises present law regarding eminent domain of counties and municipalities and details the procedure by which counties and municipalities may take property by eminent domain.

Referred by Senate, State & Local Government Committee.

Due Date: None specified, but requested from Senate sponsor by January, 2013.

- **Eminent Domain:** [SB 2745 (Johnson)/HB 2877 (Gotto)]: Eliminates the power of eminent domain for housing authorities and permits governing bodies to institute eminent domain proceedings on behalf of housing authorities.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

II. LAND USE REGULATION

Subdivision Regulation

Regional Subdivision Authority

Municipal Government: [SB 3119 (Yager)/HB 3041 (Elam)]: Allows municipal regional planning commission, in counties that have not adopted zoning, to exercise subdivision approval within the planning commission's region without the approval of the county legislative body.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

Defining a Subdivision

- **Planning, Public:** [SB 2878 (Southerland)/HB 2818 (Faison)]: Creates different requirements for subdivisions and development in counties in which county-wide zoning has not been enacted.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

- **Planning, Public:** [SB 3167 (Haynes)/HB 3042 (Elam)]: Redefines subdivision in municipal county and regional regulations by expanding the maximum size allowed for the subdivided parcels from less than five to less than 25 acres.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

Subdivision Roads

- **Planning, Public:** [SB 2876 (Southerland)/HB 3105 (Faison)]: Prohibits local or regional planning commission from prohibiting private road maintenance agreements in residential developments.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

- **Planning, Public:** [SB 3171 (Haynes)/HB 3040 (Elam)]: Revises authority or responsibility with respect to street construction and acceptance of public streets located within a subdivision in certain circumstances.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

ZONING

Nonconforming Uses

Zoning: [SB 3118 (Yager)/HB 3043 (Elam)]: Specifies evidence of abandonment of non-conforming use, directs the governmental entity with jurisdiction to establish beginning and ending dates for the prescriptive period, and creates a rebuttable presumption of abandonment upon a governmental finding of credible evidence establishing a non-conforming use for the prescribed period.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

III. BLIGHT

Real Property: [SB 2933 (Norris)/HB 2996 (Parkinson)]: Requires municipalities to report owner and address of unfit, blighted and deteriorated properties to the secretary of state for publication on secretary's web site until such condition is cured.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

IV. GOVERNMENTAL TRANSPARENCY

- **Budget Procedures:** [SB 2831 (Ketron)/HB 3327 (Carr)]: Enacts the "Taxpayer Transparency Act"; requires the commissioner of finance and administration to create and maintain a searchable budget database web site detailing certain state budgetary information.

Referred by Senate, Finance Ways & Means.

Due Date: None specified.

- **Local Government:** [SB 2832 (Ketron)/HB 3328 (Carr)]: Creates the Local Government Transparency Act requiring each county, city, and school district to post certain information on their website by July 1, 2014.

Referred by State & Local Government Subcommittee.

Due Date: None specified.

V. HOMEOWNERS ASSOCIATIONS

Directed Studies: [HR 0170 (Moore)]: Directs TACIR to study the responsibility of homeowners associations to insure their obligations and homeowners associations' rules and regulations.

Resolution passed by House of Representatives.

Due Date: 108th General Assembly