

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1264

Short Title: Certain Counties School Acquisition.

(Local)

Sponsors: Representatives Buchanan, Thompson, and Starnes.

Referred to: Local and Regional Government II.

May 13, 1998

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW ALEXANDER, CALDWELL, AND MITCHELL COUNTIES
2 TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF
3 EDUCATION.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 153A-158.1 reads as rewritten:

7 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

8 (a) Acquisition by County. – A county may acquire, by any lawful method, any
9 interest in real or personal property for use by a school administrative unit within the
10 county. In exercising the power of eminent domain a county shall use the procedures of
11 Chapter 40A. The county shall use its authority under this subsection to acquire property
12 for use by a school administrative unit within the county only upon the request of the
13 board of education of that school administrative unit and after a public hearing.

14 (b) Construction or Improvement by County. – A county may construct, equip,
15 expand, improve, renovate, or otherwise make available property for use by a school
16 administrative unit within the county. The local board of education shall be involved in
17 the design, construction, equipping, expansion, improvement, or renovation of the
18 property to the same extent as if the local board owned the property.

19 (c) Lease or Sale by Board of Education. – Notwithstanding the provisions of G.S.
20 115C-518 and G.S. 160A-274, a local board of education may, in connection with

1 additions, improvements, renovations, or repairs to all or part of any of its property, lease
2 or sell the property to the board of commissioners of the county in which the property is
3 located for any price negotiated between the two boards.

4 (d) Board of Education May Contract for Construction. – Notwithstanding the
5 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter into
6 contracts for the erection of school buildings upon sites owned in fee simple by one or
7 more counties in which the local school administrative unit is located.

8 (e) Scope. – This section applies to Alexander, Alleghany, Ashe, Avery, Bladen,
9 Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Cherokee, Chowan,
10 Columbus, Currituck, Dare, Duplin, Edgecombe, Forsyth, Franklin, Gates, Graham,
11 Greene, Guilford, Halifax, Harnett, Haywood, Hyde, Iredell, Jackson, Johnston, Jones,
12 Lee, Macon, Madison, Martin, Mitchell, Moore, Nash, New Hanover, Onslow, Orange,
13 Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Rockingham,
14 Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, Wilson, and
15 Watauga Counties."

16 Section 2. This act is effective when it becomes law.