

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1312

Finance Committee Substitute Adopted 6/10/98

Third Edition Engrossed 6/16/98

House Committee Substitute Favorable 7/20/98

House Committee Substitute #2 Favorable 8/27/98

House Committee Substitute #3 Favorable 9/4/98

Short Title: Certain Counties School Acquisition.

(Local)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF EDUCATION AND TO SUNSET ALAMANCE COUNTY'S ABILITY TO DO THE SAME.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-158.1, as rewritten by S.L. 1998-33 and S.L. 1998-48, reads as rewritten:

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

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

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

6 (c) Lease or Sale by Board of Education. – Notwithstanding the provisions of G.S.
7 115C-518 and G.S. 160A-274, a local board of education may, in connection with
8 additions, improvements, renovations, or repairs to all or part of any of its property, lease
9 or sell the property to the board of commissioners of the county in which the property is
10 located for any price negotiated between the two boards.

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

15 (e) Scope. – This section applies to Alamance, Alexander, Alleghany, Ashe,
16 Avery, Bladen, Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba,
17 Cherokee, Chowan, Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin,
18 Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Greene, Guilford,
19 Halifax, Harnett, Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lenoir,
20 Lincoln, Macon, Madison, Martin, Mitchell, Moore, Nash, New Hanover, Onslow,
21 Orange, Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson,
22 Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake,
23 ~~Wilkes, Wilson, Watauga, and Wayne~~ Watauga, Wayne, Wilkes, and Wilson Counties."

24 Section 2. G.S. 153A-158.1(e), as amended by this act, reads as rewritten:

25 "(e) Scope. – This section applies to ~~Alamance~~, Alexander, Alleghany, Ashe, Avery,
26 Bladen, Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba, Cherokee,
27 Chowan, Columbus, Cumberland, Currituck, Dare, Davidson, Davie, Duplin, Durham,
28 Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Greene, Guilford, Halifax,
29 Harnett, Haywood, Hoke, Hyde, Iredell, Jackson, Johnston, Jones, Lee, Lenoir, Lincoln,
30 Macon, Madison, Martin, Mitchell, Moore, Nash, New Hanover, Onslow, Orange,
31 Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson,
32 Rockingham, Rowan, Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake,
33 Watauga, Wayne, Wilkes, and Wilson Counties."

34 Section 3. Section 2 of this act becomes effective July 1, 2000. The remainder
35 of this act is effective when it becomes law.