

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 1071
May 25, 2022
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40718-NG-105

Short Title: Allow Durham Cty to Provide Employee Housing. (Local)

Sponsors: Representative Alston.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DURHAM PUBLIC SCHOOLS BOARD OF EDUCATION AND DURHAM COUNTY TO PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS, POLICE OFFICERS, FIRST RESPONDERS, AND OTHER EMPLOYEES OF DURHAM PUBLIC SCHOOLS AND DURHAM COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, and subject to the restrictions set out in this act, the Durham Public Schools Board of Education and Durham County may enter into a partnership, joint venture, land trust, or similar arrangement with each other to construct, provide, and maintain affordable housing on property now owned by the Durham Public Schools Board of Education or by Durham County.

SECTION 2. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, this act authorizes the Durham Public Schools Board of Education and Durham County to convey property they own to such partnership, joint venture, land trust, or similar entity for the purposes of constructing, providing, and maintaining affordable housing for Durham Public Schools Board of Education teachers, sworn law enforcement officers, or other first responders employed by local government entities in Durham County, and, if units remain available, to Durham Public Schools professional staff. The Durham Public Schools Board of Education and Durham County shall not transfer to the partnership, joint venture, land trust, or other entity created pursuant to this act property acquired on or after the effective date of this act through the exercise of eminent domain.

SECTION 3. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, Durham Public Schools Board of Education and Durham County, or the partnership, joint venture, land trust, or similar entity referenced above, may contract with any person, partnership, corporation, or other business entity to finance, construct, or maintain such affordable housing.

SECTION 4. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, the Durham Public Schools Board of Education, Durham County, or the partnership, joint venture, land trust, or similar entity referenced above may, pursuant to this act, enter into residential housing unit lease agreements for housing units owned by the board or the county. The board, the county, or the partnership, joint venture, land trust, or similar entity referenced above shall restrict the rental of such units exclusively to Durham Public Schools teachers, sworn law enforcement officers, or other first responders employed by local government entities in Durham County, and other Durham Public Schools employees. Of housing constructed, provided, or maintained pursuant to this act, at least



1 seventy-five percent (75%) of housing units shall be reserved for use by Durham Public Schools
2 teachers. The board shall have the authority to establish reasonable rents for housing units and
3 may in its discretion charge below-market rates.

4 **SECTION 5.** This act shall not exempt any affordable housing units constructed,
5 provided, maintained, or leased pursuant to this act from compliance with applicable building
6 codes, zoning ordinances, or any other health and safety statutes, rules, or regulations.

7 **SECTION 6.** This act is effective when it becomes law.