

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

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**HOUSE BILL 12**

Short Title: Stanly Cty Airport Authority/Members & Leases. (Local)

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Sponsors: Representative Sasser.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

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Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

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January 26, 2023

A BILL TO BE ENTITLED

AN ACT INCREASING THE NUMBER OF MEMBERS OF THE BOARD OF COMMISSIONERS OF STANLY COUNTY WHO MAY SERVE AS MEMBERS OF THE STANLY COUNTY AIRPORT AUTHORITY AND AUTHORIZING THE AIRPORT AUTHORITY TO ENTER INTO LEASES AND CONTRACTS FOR TERMS NOT TO EXCEED THIRTY YEARS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 2 of Chapter 419 of the Session Laws of 1971, as amended by Chapter 238 of the Session Laws of 1983, Chapter 929 of the Session Laws of 1987, Chapter 583 of the Session Laws of 1991, and S.L. 2009-253, reads as rewritten:

"Sec. 2. The Airport Authority shall consist of ~~five~~seven members, ~~four~~five of whom shall be appointed to staggered terms of four years by the Stanly County Board of Commissioners. All of the members shall be residents of the County. The terms of the ~~four~~five appointed members of the Airport Authority shall be as follows: ~~two~~three members serving terms expiring ~~March 31, 1993~~March 31, 2025, and two members serving terms expiring ~~March 31, 1995~~March 31, 2027. Thereafter, all terms shall be for four years. Each of the members and their successors so appointed shall take ~~and subscribe before the Clerk of the Superior Court of Stanly County,~~ an oath of office administered by an official authorized under G.S. 11-7.1 and file the same with the Stanly County Board of Commissioners. Upon the occurrence of any vacancy on said Airport Authority, said vacancy shall be filled within 60 days after notice thereof at a regular meeting of the Board of County Commissioners. The ~~five~~sixth and seventh members of said Airport Authority shall be ~~a county commissioner,~~commissioners who shall serve at the pleasure of the Stanly County Board of Commissioners, but only as long as still serving as ~~a county commissioner.~~ ~~The Stanly County Board of Commissioners may also appoint another member of the board of commissioners to serve as alternate member to attend and vote if the original appointee is unable to attend or is unable to vote.~~ commissioners. As provided by G.S. 128-1.2, in the case of ~~the~~a member of the Stanly County Board of Commissioners serving as a voting member of the said Airport Authority, such membership shall not constitute double office holding within the meaning of Article VI, Sec. 9 of the Constitution of North Carolina, but instead is service ex officio."

**SECTION 2.** Section 4 of Chapter 419 of the Session Laws of 1971, as amended by Chapter 342 of the Session Laws of 1995 and S.L. 2003-259, reads as rewritten:

"Sec. 4. The Airport Authority shall constitute a body, both corporate and politic, and shall have the following powers and authority:

...



1           (12) To lease for a term not to exceed 25-30 years, and for purposes not inconsistent  
2 with the grants and agreements under which the airport is held, real or personal property under  
3 the supervision of or administered by the Airport Authority, except the Airport Authority may  
4 execute leases with the United States of America, its agencies, departments, boards, and military  
5 (including reserves and national guard) for terms not to exceed 50 years.

6           (13) To contract with persons, firms or corporations for terms not to exceed 25-30  
7 years, for the operation of airline-scheduled passenger and freight flights, non-scheduled flights,  
8 and any other airplane activities not inconsistent with said grant agreements under which the  
9 airport property is held, and to charge and collect reasonable and adequate fees, charges and rents  
10 for the use of such property or for services rendered in the operation thereof.

11           (14) To erect and construct buildings, hangars, shops and other improvements and  
12 facilities, not inconsistent with or in violation of the agreements applicable to and the grants  
13 under which the real property of the airport is held; to lease the same for a term or terms not to  
14 exceed 25-30 years; to borrow money for use in making or paying for such improvements and  
15 facilities, secured by and on the credit only of the lease agreements in respect thereto, to pledge  
16 and assign such leases and lease agreements as security for loans herein authorized.

17           ...."

18           **SECTION 3.** This act is effective when it becomes law.