

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

1

HOUSE BILL 239

Short Title: Currituck School Acquisition.

(Local)

Sponsors: Representative Owens.

Referred to: Local and Regional Government II.

February 22, 1995

A BILL TO BE ENTITLED

AN ACT TO ALLOW CURRITUCK COUNTY TO ACQUIRE PROPERTY FOR USE
BY THE COUNTY BOARD OF EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 153A-157 reads as rewritten:

"§ 153A-157. Power to acquire property in certain counties.

(a) A county may acquire, by gift, grant, devise, bequest, exchange, purchase, lease, or any other lawful method, the fee or any other lesser interest in real or personal property for use by the county or any department, board, commission, or agency of the county or 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 section to acquire the fee or any lesser interest in real or personal 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.

(b) This section applies to Ashe, Avery, Bladen, Brunswick, Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Forsyth, Franklin, Harnett, Haywood, Iredell, Johnston, Lee, Macon, Nash, Orange, Pasquotank, Pender, Richmond, Rowan, Sampson, and Stanly Counties."

(b) G.S. 153A-158.1 reads as rewritten:

1 **"§ 153A-158.1. School property in certain counties; construction and other**
2 **improvements; transfers.**

3 (a) Reserved for future codification.

4 (b) A county may construct, equip, expand, improve, renovate, or otherwise make
5 available property for use by a school administrative unit within the county. This
6 subsection applies only to Ashe, Avery, Brunswick, Chowan, Currituck, Forsyth, Harnett,
7 Haywood, Lee, Macon, Nash, Orange, Pasquotank, Richmond, and Sampson Counties
8 and to local boards of education for school administrative units in or for Ashe, Avery,
9 Brunswick, Chowan, Currituck, Forsyth, Harnett, Haywood, Lee, Macon, Nash, Orange,
10 and Pasquotank Counties.

11 (c) Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-274, a local
12 board of education may lease or sell any of its property to the board of commissioners of
13 the county in which the property is located for any price negotiated between the two
14 boards. This subsection applies only to Ashe, Avery, Brunswick, Cabarrus, Carteret,
15 Chowan, Currituck, Duplin, Forsyth, Harnett, Haywood, Iredell, Lee, Macon, Nash,
16 Orange, Pasquotank, Rowan, Sampson, and Stanley Counties and to local boards of
17 education for school administrative units in or for these counties. This subsection applies
18 only to sales and leases of property in connection with additions, improvements,
19 renovations, or repairs to the property or to some part of the property.

20 (d) Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521, local
21 boards of education are authorized to enter into contracts for the erection or repair of
22 school buildings upon sites owned in fee simple by one or more counties in which the
23 local school administrative units are located. This subsection applies only to Ashe,
24 Avery, Brunswick, Chowan, Currituck, Forsyth, Harnett, Lee, Nash, Orange, Pasquotank,
25 and Sampson Counties and to local boards of education for school administrative units in
26 or for those counties."

27 Sec. 2. G.S. 153A-158.1(e), as amended by Senate Bill 104, 1995 General
28 Assembly, reads as rewritten:

29 "(e) Scope. – This section applies to Ashe, Avery, Bladen, Brunswick, Cabarrus,
30 Carteret, Chowan, Columbus, Currituck, Duplin, Forsyth, Franklin, Harnett, Haywood,
31 Iredell, Johnston, Lee, Macon, Nash, Orange, Pasquotank, Pender, Richmond, Rowan,
32 Sampson, Stanly, and Watauga Counties."

33 Sec. 3. Section 1 of this act is effective on and after January 1, 1995, and
34 expires on the effective date of the amendments to G.S. 153A-158.1 enacted by Senate
35 Bill 104, 1995 General Assembly. Section 2 of this act is effective on the effective date
36 of the amendments to G.S. 153A-158.1 enacted by Senate Bill 104, 1995 General
37 Assembly. The remainder of this act is effective upon ratification.