

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1926
Second Edition Engrossed 6/15/94

Short Title: Brunswick School Acquisition.

(Local)

Sponsors: Representatives Redwine, Hill, and Wright.

Referred to: Finance.

May 31, 1994

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW BRUNSWICK COUNTY TO ACQUIRE PROPERTY FOR
2 USE BY THE COUNTY BOARD OF EDUCATION, AND TO PROVIDE FOR
3 THE USE OF COUNTY OWNED PROPERTY BY SCHOOLS IN CERTAIN
4 COUNTIES.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Chapter 885 of the 1989 Session Laws, as amended by Chapters
8 120, 533, 832, 848, 865, and 1001 of the 1991 Session Laws, and as codified as G.S.
9 153A-157, reads as rewritten:

10 "**§ 153A-157. Power to acquire property in certain counties.**

11 (a) A county may acquire, by gift, grant, devise, bequest, exchange, purchase,
12 lease, or any other lawful method, the fee or any other lesser interest in real or personal
13 property for use by the county or any department, board, commission, or agency of the
14 county or a school administrative unit within the county. In exercising the power of
15 eminent domain a county shall use the procedures of Chapter 40A.

16 The county shall use its authority under this section to acquire the fee or any lesser
17 interest in real or personal property for use by a school administrative unit within the
18 county only upon the request of the board of education of that school administrative unit
19 and after a public hearing.

20 (b) This section applies to Bladen, Brunswick, Cabarrus, Carteret, Columbus,
21 Duplin, Franklin, Iredell, Johnston, Pender, Richmond, Rowan, Sampson, and Stanly
22 Counties."

1 Sec. 1.1. G.S. 153A-157, as amended by Section 1 of this act, is amended by
2 adding a new subsection to read:

3 "(a1) A county may construct, equip, expand, improve, renovate, or otherwise
4 make available property for use by a school administrative unit within the county."

5 Sec. 2. Notwithstanding the provisions of G.S. 115C-40 and G.S. 115C-521,
6 local boards of education are authorized to enter into contracts for the erection or repair
7 of school buildings upon sites owned in fee simple by one or more counties in which the
8 local school administrative units are located.

9 Sec. 3. Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-
10 274, a local board of education may lease or sell any of its property to the board of
11 commissioners of the county in which the property is located for any price negotiated
12 between the two boards.

13 Sec. 4. Sections 1.1, 2, and 3 of this act apply only to Brunswick County and
14 to local boards of education for school administrative units in or for the county. Section
15 3 of this act applies only to sales and leases of property in connection with additions,
16 improvements, renovations, or repairs to the property or to some part of the property.

17 Sec. 5. This act is effective upon ratification.