

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE BILL 1167  
Second Edition Engrossed 5/7/07  
House Committee Substitute Favorable 7/23/07

Short Title: Notify County Before State Land Acquisition.

(Public)

Sponsors:

Referred to:

March 22, 2007

A BILL TO BE ENTITLED

AN ACT DIRECTING THE DEPARTMENT OF ADMINISTRATION TO INFORM  
COUNTIES AND MUNICIPALITIES BEFORE ACQUIRING LAND WITHIN  
THEIR BOUNDARIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 146-22 reads as rewritten:

"§ 146-22. **All acquisitions to be made by Department of Administration.**

(a) Every acquisition of land on behalf of the State or any State agency, whether by purchase, condemnation, lease, or rental, shall be made by the Department of Administration and approved by the Governor and Council of State; ~~provided that if State.~~

(b) If the proposed acquisition is a purchase or gift of land with an appraised value of at least twenty-five thousand dollars (\$25,000), and the acquisition is for other than a transportation purpose, the acquisition may only be made after written notice to the Joint Legislative Commission on Governmental ~~Operations~~ Operations, to the board of commissioners and the county manager, if any, of the county in which the land is located, and to the governing body and the city manager, if any, of the municipality in which the land is located if the land is located within a municipality. The notice shall be given to the ~~Chairs~~ chairs of the Commission and of the county and municipal governing boards at least 30 days prior to the acquisition, ~~who~~ acquisition, and the chairs shall forward a copy of the notice to the members of the ~~Commission~~ their respective bodies within three days of their receipt of the ~~notice~~, and notice. The board of commissioners, individual commissioners, the governing body of the municipality, and individual members of that body may provide written comments on the acquisition to the Department of Administration; the Department shall forward the comments to the Governor and the Council of State.

In determining whether the appraised value is at least twenty-five thousand dollars (\$25,000), the value of the property in fee simple shall be used.

1        The State may not purchase land as a tenant-in-common without consultation with  
2 the Joint Legislative Commission on Governmental Operations if the appraised value of  
3 the property in fee simple is at least twenty-five thousand dollars (\$25,000).

4        ~~(c) provided further, that acquisitions~~ Acquisitions on behalf of the University of  
5 North Carolina Health Care System shall be made in accordance with G.S. 116-37(i),  
6 acquisitions on behalf of the University of North Carolina Hospitals at Chapel Hill shall  
7 be made in accordance with G.S. 116-37(a)(4), acquisitions on behalf of the clinical  
8 patient care programs of the School of Medicine of The University of North Carolina at  
9 Chapel Hill shall be made in accordance with G.S. 116-37(a)(4), and acquisitions on  
10 behalf of the Medical Faculty Practice Plan of the East Carolina University School of  
11 Medicine shall be made in accordance with G.S. 116-40.6(d). ~~In determining whether~~  
12 ~~the appraised value is at least twenty-five thousand dollars (\$25,000), the value of the~~  
13 ~~property in fee simple shall be used. The State may not purchase land as a~~  
14 ~~tenant in common without consultation with the Joint Legislative Commission on~~  
15 ~~Governmental Operations if the appraised value of the property in fee simple is at least~~  
16 ~~twenty five thousand dollars (\$25,000)."~~

17            **SECTION 2.** This act is effective when it becomes law.