

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1536  
Committee Substitute Favorable 6/29/94

Short Title: Pasquotank/ Chowan School Acquisition.

(Local)

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Sponsors:

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Referred to:

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May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO ALLOW PASQUOTANK COUNTY AND CHOWAN COUNTY TO  
ACQUIRE PROPERTY FOR USE BY THEIR COUNTY BOARDS OF  
EDUCATION.

The General Assembly of North Carolina enacts:

Section 1. Chapter 885 of the 1989 Session Laws, as amended by Chapters  
120, 533, 832, 848, 865, and 1001 of the 1991 Session Laws, and as codified as 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 Bladen, Cabarrus, Carteret, Chowan, Columbus,  
Duplin, Franklin, Iredell, Johnston, Pasquotank, Pender, Richmond, Rowan, Sampson,  
and Stanly Counties."

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

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

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

7               Sec. 3. Notwithstanding the provisions of G.S. 115C-518 and G.S. 160A-  
8 274, a local board of education may lease or sell any of its property to the board of  
9 commissioners of the county in which the property is located for any price negotiated  
10 between the two boards.

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

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