

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 622
HOUSE BILL 1644

AN ACT TO ALLOW CERTAIN COUNTIES TO ACQUIRE PROPERTY FOR USE
BY THE COUNTY BOARD 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 Ashe, Avery, Bladen, Cabarrus, Carteret, Columbus, Duplin, Franklin, Harnett, Iredell, Johnston, Lee, 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:

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

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

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

Sec. 4. Sections 1.1, 2, and 3 of this act apply only to Ashe, Avery, Harnett and Lee Counties and to local boards of education for school administrative units in or for those counties. Section 3 of this act applies only to sales and leases of property in

connection with additions, improvements, renovations, or repairs to the property or to some part of the property.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July, 1994.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives