

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 1174

Short Title: Rockingham Schools/Education.

(Local)

Sponsors: Senators Foxx; and East.

Referred to: Local Government and Regional Affairs.

May 15, 1996

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW ROCKINGHAM COUNTY TO ACQUIRE PROPERTY FOR
2 USE BY ITS COUNTY BOARD OF EDUCATION AND TO CLARIFY THE
3 FILING DATE FOR MEMBERS OF THE ROCKINGHAM COUNTY
4 CONSOLIDATED BOARD OF EDUCATION.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 153A-158.1 reads as rewritten:

8 "**§ 153A-158.1. Acquisition and improvement of school property in certain counties.**

9 (a) Acquisition by County. – A county may acquire, by any lawful method, any
10 interest in real or personal property for use by a school administrative unit within the
11 county. In exercising the power of eminent domain a county shall use the procedures of
12 Chapter 40A. The county shall use its authority under this subsection to acquire property
13 for use by a school administrative unit within the county only upon the request of the
14 board of education of that school administrative unit and after a public hearing.

15 (b) Construction or Improvement by County. – A county may construct, equip,
16 expand, improve, renovate, or otherwise make available property for use by a school
17 administrative unit within the county. The local board of education shall be involved in
18 the design, construction, equipping, expansion, improvement, or renovation of the
19 property to the same extent as if the local board owned the property.

1 (c) Lease or Sale by Board of Education. – Notwithstanding the provisions of G.S.
2 115C-518 and G.S. 160A-274, a local board of education may, in connection with
3 additions, improvements, renovations, or repairs to all or part of any of its property, lease
4 or sell the property to the board of commissioners of the county in which the property is
5 located for any price negotiated between the two boards.

6 (d) Board of Education May Contract for Construction. – Notwithstanding the
7 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter into
8 contracts for the erection or repair of school buildings upon sites owned in fee simple by
9 one or more counties in which the local school administrative unit is located.

10 (e) Scope. – This section applies to Alleghany, Ashe, Avery, Bladen, Brunswick,
11 Cabarrus, Carteret, Chowan, Columbus, Currituck, Duplin, Edgecombe, Forsyth,
12 Franklin, Greene, Halifax, Harnett, Haywood, Iredell, Jackson, Johnston, Lee, Macon,
13 Madison, Moore, Nash, Orange, Pasquotank, Pender, Randolph, Richmond, Rockingham,
14 Rowan, Sampson, Scotland, Stanly, Union, Wake, and Watauga Counties."

15 Sec. 2. The filing date for candidates for the Rockingham County
16 Consolidated Board of Education is the same as for municipal nonpartisan elections as
17 referenced in G.S. 163-294.2(c).

18 Sec. 3. This act is effective upon ratification.