

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 279

Short Title: School Boards/Quick Take.

(Public)

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Sponsors: Senator Cooper.

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Referred to: Judiciary I/Constitution

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March 1, 1995

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE AUTHORITY OF LOCAL BOARDS OF EDUCATION  
TO OBTAIN PROPERTY UNDER THE "QUICK TAKE" PROCEDURE  
AVAILABLE TO OTHER LOCAL GOVERNMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 40A-42(a) reads as rewritten:

"(a) When a local public condemnor is acquiring property by condemnation for a purpose set out in G.S. 40A-3(b)(1), (4) or (7), or when a city is acquiring property for a purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when a county is acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or when a local board of education is acquiring property for any purpose set forth in G.S. 115C-517, or when a condemnor is acquiring property by condemnation as authorized by G.S. 40A-3(c)(8), (9), (10) or (12), title to the property and the right to immediate possession shall vest pursuant to this subsection. Unless an action for injunctive relief has been initiated, title to the property specified in the complaint, together with the right to immediate possession thereof, shall vest in the condemnor upon the filing of the complaint and the making of the deposit in accordance with G.S. 40A-41."

Sec. 2. This act is effective upon ratification.