

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 971

Short Title: Affordable Housing.

(Public)

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Sponsors: Representatives McMahan; Earle, Easterling, Rayfield, and Saunders.

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Referred to: Economic Growth and Community Development.

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April 12, 1999

A BILL TO BE ENTITLED

1 AN ACT ALLOWING COUNTIES HAVING A POPULATION IN EXCESS OF  
2 500,000 TO PROVIDE AFFORDABLE HOUSING FOR PERSONS OF LOW AND  
3 MODERATE INCOME.  
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5 The General Assembly of North Carolina enacts:

6 Section 1. The General Assembly finds and declares that the purpose of this  
7 act is to provide authority for larger urban counties in North Carolina to provide funds for  
8 residential housing construction, new or rehabilitated, and to provide for the sale or rental  
9 of housing to persons and families of low and moderate income. The General Assembly  
10 finds and declares that there exists in larger urban counties, including rural areas of such  
11 counties, a serious shortage of decent, safe, and sanitary residential housing available at  
12 low prices or rentals to persons and families of low and moderate income. This shortage  
13 is inimical to the health, safety, welfare, and prosperity of all residents of the State and to  
14 the sound growth of North Carolina communities.

15 Section 2. Part 5 of Article 18 of Chapter 153A of the General Statutes is  
16 amended by adding a new section to read:

17 "**§ 153A-378. Low- and moderate-income housing programs.**

18 In addition to the powers granted by G.S. 153A-376 and G.S. 153A-377, any county  
19 is authorized to exercise the following powers:

- 1           (1) To engage in and to appropriate and expend funds for residential  
2 housing construction, new or rehabilitated, for sale or rental to persons  
3 and families of low and moderate income. Any board of commissioners  
4 may contract with any person, association, or corporation to implement  
5 the provisions of this subdivision.
- 6           (2) To acquire real property by voluntary purchase from the owners to be  
7 developed by the county or to be used by the county to provide  
8 affordable housing to persons of low and moderate income.
- 9           (3) Under procedures and standards established by the county, to convey  
10 property by private sale to any public or private entity that provides  
11 affordable housing to persons of low or moderate income. The county  
12 shall include as part of any such conveyance covenants or conditions  
13 that assure the property will be developed by the entity for sale or lease  
14 to persons of low or moderate income.
- 15           (4) Under procedures and standards established by the county, to convey  
16 residential property by private sale to persons of low or moderate  
17 income in accordance with G.S. 160A-267 and any terms and conditions  
18 that the board of commissioners may determine."

19 Section 3. G.S. 153A-149(c) is amended by adding a new subdivision to read:  
20 "(15b) Housing. – To undertake housing programs for low- and moderate-  
21 income persons as provided in G.S. 153A-378."

22 Section 4. G.S. 159-48(c) reads as rewritten:

23 "(c) Each county is authorized to borrow money and issue its bonds under this  
24 Article in evidence of the debt for the purpose of, in the case of subdivisions (1) through  
25 (4a) of this subsection, paying any capital costs of any one or more of the purposes and,  
26 in the case of ~~subdivision (5)~~ subdivisions (5) and (6) of this subsection, to finance the cost  
27 of the purpose:

- 28           (1) Providing community college facilities, including without limitation  
29 buildings, plants, and other facilities, physical and vocational  
30 educational buildings and facilities, including in connection therewith  
31 classrooms, laboratories, libraries, auditoriums, administrative offices,  
32 student unions, dormitories, gymnasiums, athletic fields, cafeterias,  
33 utility plants, and garages.
- 34           (2) Providing courthouses, including without limitation offices, meeting  
35 rooms, court facilities and rooms, and detention facilities.
- 36           (3) Providing county homes for the indigent and infirm.
- 37           (4) Providing school facilities, including without limitation schoolhouses,  
38 buildings, plants and other facilities, physical and vocational  
39 educational buildings and facilities, including in connection therewith  
40 classrooms, laboratories, libraries, auditoriums, administrative offices,  
41 gymnasiums, athletic fields, lunchrooms, utility plants, garages, and  
42 school buses and other necessary vehicles.

- 1           (4a) Providing improvements to subdivision and residential streets pursuant  
2           to G.S. 153A-205.
- 3           (5) Providing for the octennial revaluation of real property for taxation.
- 4           (6) Providing housing projects for persons of low or moderate income,  
5           including construction or acquisition of projects to be owned by a  
6           county, redevelopment commission, or housing authority and the  
7           provision of loans, grants, interest supplements, and other programs of  
8           financial assistance to such persons. A housing project may provide  
9           housing for persons of other than low or moderate income if at least  
10           twenty percent (20%) of the units in the project are exclusively reserved  
11           for persons of low or moderate income. No rent subsidy may be paid  
12           from bond proceeds."
- 13           Section 5. This act applies only to counties having a population in excess of  
14   500,000.
- 15           Section 6. This act is effective when it becomes law.