

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 804**

Short Title: Craven and Pamlico School Acquisition. (Local)

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Sponsors: Representatives Underhill and Wainwright.

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Referred to: Local Government I.

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March 26, 2001

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE CRAVEN COUNTY AND PAMLICO COUNTY TO  
2 ACQUIRE PROPERTY FOR USE BY THEIR BOARDS OF EDUCATION.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 153A-158.1 reads as rewritten:

5 **"§ 153A-158.1. Acquisition and improvement of school property in certain**  
6 **counties.**

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

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

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

23 (d) Board of Education May Contract for Construction. – Notwithstanding the  
24 provisions of G.S. 115C-40 and G.S. 115C-521, a local board of education may enter  
25 into contracts for the erection of school buildings upon sites owned in fee simple by one  
26 or more counties in which the local school administrative unit is located.  
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1 (e) Scope. – This section applies to Alamance, Alexander, Alleghany, Ashe,  
2 Avery, Bladen, Brunswick, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba,  
3 Cherokee, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Davidson, Davie,  
4 Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Greene,  
5 Guilford, Halifax, Harnett, Haywood, Henderson, Hoke, Hyde, Iredell, Jackson,  
6 Johnston, Jones, Lee, Lenoir, Lincoln, Macon, Madison, Martin, Mecklenburg,  
7 Mitchell, Moore, Nash, New Hanover, Onslow, Orange, Pamlico, Pasquotank, Pender,  
8 Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Rowan,  
9 Sampson, Scotland, Stanly, Stokes, Surry, Union, Vance, Wake, Watauga, Wayne,  
10 Wilkes, and Wilson Counties."

11 **SECTION 2.** This act is effective when it becomes law.