

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 718
HOUSE BILL 532

1 AN ACT TO AMEND SECTIONS 131-126.33, 131-126.34, 131-126.36 AND 131-126.37 OF
2 ARTICLE 13C OF CHAPTER 131 OF THE GENERAL STATUTES OF NORTH
3 CAROLINA TO AUTHORIZE THE ISSUANCE OF ADDITIONAL BONDS, LIMIT
4 THE TIME WITHIN WHICH BONDS MAY BE ISSUED AND AUTHORIZE THE
5 ISSUANCE OF BOND ANTICIPATION NOTES BY A HOSPITAL DISTRICT.
6

7 The General Assembly of North Carolina do enact:
8

9 **Section 1.** Section 131-126.33 of Article 13C of Chapter 131 of the General
10 Statutes of North Carolina is hereby amended by adding the following paragraph at the end
11 thereof:

12 "If, after any hospital district shall have been created as authorized by this article, a petition
13 signed by at least 500 of the qualified voters residing in such hospital district shall be filed with
14 the board of county commissioners of the county in which such hospital district is located
15 representing that the issuance of additional bonds on behalf of such hospital district is
16 necessary for any one or more of the purposes provided in this article, the board of county
17 commissioners of the county shall order a special election to be held in such hospital district for
18 the purpose of voting upon the question of issuing bonds for the purpose or purposes set forth
19 in such petition and levying a sufficient tax for the payment thereof. The other provisions of
20 this article relating to the ordering and holding of an election, giving of notice, and making,
21 canvassing and passing upon the returns of such election, and relating to the determination,
22 declaration and publication of the results of the election, and to the issuing of bonds, and
23 levying taxes to pay the principal thereof and the interest thereon, shall be followed and shall
24 apply to the issuance of such bonds as nearly as the same can be made adaptable and applicable
25 thereto."

26 **Sec. 2.** Section 131-126.34 of Article 13C of said Chapter 131 is hereby amended
27 by deleting the words "and/or notes" as the same appear in the third sentence of said Section
28 131-126.34.

29 **Sec. 3.** Section 131-126.36 of Article 13C of said Chapter 131 is hereby amended
30 by deleting the period at the end of the third sentence of said Section and inserting the
31 following words:

32 "within five years after the date of the election held on the question of issuing such bonds."
33 so that said sentence reads as follows:

34 "They may be issued as one issue, or divided into two or more separate issues, and in either
35 case may be issued at one time or in blocks from time to time within five years after the date of
36 the election held on the question of issuing such bonds."

37 **Sec. 4.** Section 131-126.36 of Article 13C of said Chapter 131 is hereby further
38 amended by adding the following paragraph at the end thereof:

39 "At any time after the issuance of bonds has been approved at an election, a hospital district
40 may borrow money for the purposes for which the bonds are to be issued, in anticipation of the
41 receipt of the proceeds of the sale of bonds, and within the maximum authorized amount of the
42 bond issue. Such loans shall be paid not later than five years after the date of the election. The
43 board of county commissioners may, in its discretion, retire any such loans by means of current

1 revenues or other funds, lawfully available therefor, in lieu of retiring them by means of bonds;
2 provided, however, that the actual retirement of any such loans by any means other than the
3 issuance of bonds, shall reduce the authorized amount of the bond issue by the amount of the
4 loan so retired. Negotiable bond anticipation notes shall be issued for all moneys so borrowed,
5 and the resolution authorizing the issuance of such notes shall take effect upon its passage, and
6 need not be published. Such bond anticipation notes may be renewed from time to time for the
7 payment of any indebtedness evidenced thereby, but all such bond anticipation notes shall
8 mature within the time limited by this Section for the payment of the original loan. No money
9 shall be borrowed under this Section at a rate of interest exceeding the maximum rate permitted
10 by law. Said bond anticipation notes may be disposed of by public or private negotiations as
11 provided in the Local Government Act. The issuance of such bond anticipation notes shall be
12 authorized by resolution of the board of county commissioners, which shall fix the actual or
13 maximum face amount of the bond anticipation notes and the actual or maximum rate of
14 interest to be paid upon the amount borrowed. The board of county commissioners may
15 delegate to any officer the power to fix such face amount and rate of interest within the
16 limitations prescribed by such resolution, and the power to dispose of such bond anticipation
17 notes. All such bond anticipation notes shall be executed in the manner provided in this Section
18 for the execution of bonds. They shall be submitted to and approved by the attorney for the
19 hospital district before they are issued, and his written approval endorsed on the notes."

20 **Sec. 5.** Section 131-126.37 of Article 13C of said Chapter 131 is hereby amended
21 to read as follows:

22 "The board of county commissioners is hereby authorized and directed to levy annually a
23 special tax, ad valorem, on all taxable property in the hospital district in which the election was
24 held, sufficient to pay the principal and interest of the bonds and bond anticipation notes as
25 such principal and interest become due. Such special tax shall be in addition to all other taxes
26 authorized to be levied in such district or in such unit. The taxes provided for in this Section
27 shall be collected by the county officer collecting other taxes and be applied solely to the
28 payment of principal and interest of such bonds and bond anticipation notes."

29 **Sec. 6.** All laws and clauses of laws in conflict with the provisions of this Act are
30 hereby repealed.

31 **Sec. 7.** This Act shall be in full force and effect from and after its ratification.

32 In the General Assembly read three times and ratified, this the 7th day of June,
33 1967.