

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

1

SENATE BILL 1167

Short Title: Notify County Before State Land Acquisition. (Public)

Sponsors: Senators Dorsett, Graham; and Atwater.

Referred to: Appropriations/Base Budget.

March 22, 2007

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE DEPARTMENT OF ADMINISTRATION TO INFORM
3 THE COUNTY COMMISSIONERS BEFORE ACQUIRING LAND IN A
4 COUNTY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 146-22 reads as rewritten:

7 "**§ 146-22. All acquisitions to be made by Department of Administration.**

8 (a) Every acquisition of land on behalf of the State or any State agency, whether
9 by purchase, condemnation, lease, or rental, shall be made by the Department of
10 Administration and approved by the Governor and Council of State; ~~provided that~~
11 ~~if State.~~

12 (b) If the proposed acquisition is a purchase or gift of land with an appraised
13 value of at least twenty-five thousand dollars (\$25,000), and the acquisition is for other
14 than a transportation purpose, the acquisition may only be made after written notice to
15 the Joint Legislative Commission on Governmental Operations and to the board of
16 commissioners and the county manager, if any, of the county in which the land is
17 located. The notice shall be given to the ~~Chairs~~ chairs of the Commission and to the
18 chair of the board of commissioners at least 30 days prior to the acquisition,
19 where acquisition, and the chairs shall forward a copy of the notice to the members of the
20 Commission their respective bodies within three days of their receipt of the notice,
21 and notice. The board of commissioners, individual commissioners, or both may provide
22 written comments on the acquisition to the Department of Administration; the
23 Department shall forward the comments to the Governor and the Council of State.

24 In determining whether the appraised value is at least twenty-five thousand dollars
25 (\$25,000), the value of the property in fee simple shall be used.

26 The State may not purchase land as a tenant-in-common without consultation with
27 the Joint Legislative Commission on Governmental Operations if the appraised value of
28 the property in fee simple is at least twenty-five thousand dollars (\$25,000).

1 (c) ~~provided further, that acquisitions~~Acquisitions on behalf of the University of
2 North Carolina Health Care System shall be made in accordance with G.S. 116-37(i),
3 acquisitions on behalf of the University of North Carolina Hospitals at Chapel Hill shall
4 be made in accordance with G.S. 116-37(a)(4), acquisitions on behalf of the clinical
5 patient care programs of the School of Medicine of the University of North Carolina at
6 Chapel Hill shall be made in accordance with G.S. 116-37(a)(4), and acquisitions on
7 behalf of the Medical Faculty Practice Plan of the East Carolina University School of
8 Medicine shall be made in accordance with G.S. 116-40.6(d). ~~In determining whether~~
9 ~~the appraised value is at least twenty five thousand dollars (\$25,000), the value of the~~
10 ~~property in fee simple shall be used. The State may not purchase land as a~~
11 ~~tenant-in-common without consultation with the Joint Legislative Commission on~~
12 ~~Governmental Operations if the appraised value of the property in fee simple is at least~~
13 ~~twenty five thousand dollars (\$25,000)."~~

14 **SECTION 2.** This act becomes effective July 1, 2007.