

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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SENATE BILL 1167
Second Edition Engrossed 5/7/07

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 COUNTIES AND MUNICIPALITIES BEFORE ACQUIRING LAND WITHIN
4 THEIR BOUNDARIES.

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-Operations, to the board
16 of commissioners and the county manager, if any, of the county in which the land is
17 located, and to the governing body and the city manager, if any, of the municipality in
18 which the land is located if the land is located within a municipality. The notice shall be
19 given to the ~~Chairs~~-~~chairs~~ of the Commission and of the county and municipal
20 governing boards at least 30 days prior to the acquisition, ~~who~~ acquisition, and the chairs
21 shall forward a copy of the notice to the members of the ~~Commission~~ their respective
22 bodies within three days of their receipt of the ~~notice,~~ and notice. The board of
23 commissioners, individual commissioners, the governing body of the municipality, and
24 individual members of that body may provide written comments on the acquisition to
25 the Department of Administration; the Department shall forward the comments to the
26 Governor and the Council of State.

27 In determining whether the appraised value is at least twenty-five thousand dollars
28 (\$25,000), the value of the property in fee simple shall be used.

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

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

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