

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS75020-MK-21A (01/16)

Short Title: Charter School/Govt. Unit. (Public)

Sponsors: Senators Daniel, Tillman, and Tucker (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A CHARTER SCHOOL IS A GOVERNMENTAL UNIT
3 FOR THE PURPOSE OF A LEASE OR TRANSFER OF PERSONAL OR REAL
4 PROPERTY BETWEEN A CHARTER SCHOOL AND ANOTHER GOVERNMENTAL
5 UNIT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 160A-274(a) reads as rewritten:

8 "(a) For the purposes of this section, "governmental unit" means a city, county, school
9 administrative unit, charter school, sanitary district, fire district, the State, or any other public
10 district, authority, department, agency, board, commission, or institution."

11 **SECTION 2.** G.S. 115C-238.29H(a1) reads as rewritten:

12 "(a1) Funds allocated by the State Board of Education may be used to enter into
13 operational and financing leases for real property or mobile classroom units for use as school
14 facilities for charter schools and may be used for payments on loans made to charter schools for
15 facilities or equipment. However, State funds shall not be used to obtain any other interest in
16 real property or mobile classroom units. No indebtedness of any kind incurred or created by the
17 charter school shall constitute an indebtedness of the State or its political subdivisions, and no
18 indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing
19 power of the State or its political subdivisions. Every contract or lease into which a charter
20 school enters shall include the previous sentence. The school also may own land and buildings
21 it obtains through non-State ~~sources~~ sources and as provided in G.S. 160A-274."

22 **SECTION 3.** G.S. 160A-280(b) reads as rewritten:

23 "(b) For the purposes of this section, the term "governmental unit" ~~shall have the same~~
24 ~~meaning as defined by G.S. 160A-274(a) and shall include North Carolina charter schools.~~ has
25 the same meaning as set forth in G.S. 160A-274(a)."

26 **SECTION 4.** This act is effective when it becomes law.

