

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-39
HOUSE BILL 699**

AN ACT TO ELIMINATE THE CONSULTATION REQUIREMENT WITH THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS FOR STATE ACQUISITIONS OF REAL PROPERTY AND TO SUBSTITUTE A REQUIREMENT OF PRIOR WRITTEN NOTICE TO THE COMMISSION CHAIRS OF THE INTENDED REAL PROPERTY ACQUISITION.

The General Assembly of North Carolina enacts:

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

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

Every acquisition of land on behalf of the State or any State agency, whether by purchase, condemnation, lease, or rental, shall be made by the Department of Administration and approved by the Governor and Council of State; provided that if the proposed acquisition is a purchase of land with an appraised value of at least twenty-five thousand dollars (\$25,000), and the acquisition is for other than a transportation purpose, the acquisition may only be made after consultation with written notice to the Joint Legislative Commission on Governmental Operations, Operations given to the Chairs of the Commission at least 30 days prior to the acquisition, who shall forward a copy of the notice to the members of the Commission within three days of their receipt of the notice, and provided further, that acquisitions on behalf of the University of North Carolina Health Care System shall be made in accordance with G.S. 116-37(i), acquisitions on behalf of the University of North Carolina Hospitals at Chapel Hill shall be made in accordance with G.S. 116-37(a)(4), acquisitions on behalf of the clinical patient care programs of the School of Medicine of the University of North Carolina at Chapel Hill shall be made in accordance with G.S. 116-37(a)(4), and acquisitions on behalf of the Medical Faculty Practice Plan of the East Carolina University School of Medicine shall be made in accordance with G.S. 116-40.6(d). In determining whether the appraised value is at least twenty-five thousand dollars (\$25,000), the value of the property in fee simple shall be used. The State may not purchase land as a tenant-in-common without consultation with the Joint Legislative Commission on Governmental Operations if the appraised value of the property in fee simple is at least twenty-five thousand dollars (\$25,000)."

SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 5th day of May,
2005.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker Pro Tempore of the House of Representatives

s/ Michael F. Easley
Governor

Approved 10:30 a.m. this 12th day of May, 2005