

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 790

Short Title: Reimbursement Agreement Changes. (Public)

Sponsors: Representative Catlin (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Finance.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY WHEN THE PUBLIC BIDDING PROCESS MUST BE USED
3 UNDER A REIMBURSEMENT AGREEMENT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-451 reads as rewritten:

6 "**§ 153A-451. Reimbursement agreements.**

7 (a) A county may enter into reimbursement agreements with private developers and
8 property owners for the design and construction of municipal infrastructure that is included on
9 the county's Capital Improvement Plan and serves the developer or property owner. For the
10 purpose of this act, municipal infrastructure includes, without limitation, water mains, sanitary
11 sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control
12 devices, and other associated facilities.

13 (b) A county shall enact ordinances setting forth procedures and terms under which
14 such agreements may be approved.

15 (c) A county may provide for such reimbursements to be paid from any lawful source.

16 (d) Reimbursement agreements authorized by this section shall not be subject to Article
17 8 of Chapter 143 of the General Statutes, except as provided by this subsection. ~~A-Unless the~~
18 developer or property is designing and constructing the municipal infrastructure themselves, a
19 developer or property owner who is party to a reimbursement agreement authorized under this
20 section shall solicit bids in accordance with Article 8 of Chapter 143 of the General Statutes
21 when awarding contracts for work that would have required competitive bidding if the contract
22 had been awarded by the county."

23 **SECTION 2.** This act becomes effective July 1, 2013, and applies to
24 reimbursement agreements entered into on or after that date.



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