



SENATE BILL 149: Henderson County/Blue Ridge CC Construction.

2025-2026 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Rules and Operations of the Senate	Date:	March 5, 2025
Introduced by:	Sen. Moffitt	Prepared by:	Samantha Yarborough
Analysis of:	First Edition		Committee Counsel

OVERVIEW: *Senate Bill 149 would authorize Henderson County to construct community college buildings on the campus of Blue Ridge Community College.*

CURRENT LAW: G.S. 115D-9 requires that expenditures of State funds for capital improvements of existing community colleges must be approved by the State Board of Community Colleges (SBCC) and the Governor.

G.S. 115D-15.1 provides for the disposition, acquisition, and construction of property by a community college with a county. A board of trustees of a community college can transfer the property to the county in which the property is located in order to finance any additions or renovations. The county transfers the property back to the board of trustees when the financing agreement has been satisfied. G.S. 143-129 (letting public contracts) and G.S. 143-341 (state construction) apply to projects undertaken by the county under this provision. Actions taken under this provision are subject to the approval of the State Board of Community Colleges.

G.S. 143-341(3) requires the Department of Administration (DOA) to approve all plans and specifications for the construction or renovation of all community college buildings when the project requires the expenditure of \$2,000,000 or more. The SBCC may also request the DOA approve the plans for projects requiring the expenditure of less than \$2,000,000.

Part 1 of Article 36 of Chapter 143 includes the general provisions related to the DOA. Article 3D of Chapter 143 governs the procurement of architectural, engineering, and surveying services by the State and local governments. Article 8 of Chapter 143 governs public contracts. Article 8 of Chapter 159 governs the financing agreements and arrangements made or entered into by a unit of local government.

BILL ANALYSIS: Senate Bill 149 authorizes Henderson County to construct community college buildings on the campus of Blue Ridge Community College. The Board of Trustees of Blue Ridge Community College (BOT) can transfer any of its property to the county to be used as security for the financing agreement. The county would transfer the property back to the BOT when the financing agreement is satisfied. The county would be allowed to use other funding sources to complete the construction, such as appropriations from the General Assembly. Once the construction is completed, the county will lease the buildings to the BOT under terms and conditions agreed to by both parties.

The county does not have to receive approval from the SBCC, the Governor, or the DOA, but must comply with the provisions governing procurement of architectural, engineering, and surveying services and public contracts. The county would be required to consult with the BOT on the programming requirements of the buildings and keep the Board informed of the construction progress. The county and the BOT can enter a memorandum of understanding if the parties deem it appropriate and the terms allow for the construction to be completed in a timely fashion and cost-efficient manner.

EFFECTIVE DATE: Senate Bill 149 would be effective when it becomes law and would apply only to construction projects coordinated by Henderson County for the use of the Board of Trustees of Blue Ridge Community College.

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