



SENATE BILL 101: 1st Senatorial District Local Act

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

Committee:	House Local Government	Date:	August 18, 2015
Introduced by:	Sen. Cook	Prepared by:	Kelly Tornow Committee Counsel
Analysis of:	Second Edition		

SUMMARY: *Senate Bill 101 would do all of the following:*

- *Clarify that the chairman of the Elizabeth City-Pasquotank Board of Education votes only in the case of a tie; and*
- *Add Beaufort, Dare, Gates, and Hyde Counties to the list of counties requiring the approval of the county board of commissioners of the county where the land is located before a unit of local government may condemn, purchase, lease, or exchange land outside its own county.*

CURRENT LAW & BILL ANALYSIS:

Section 1. The Elizabeth City-Pasquotank Board of Education is composed of seven members. The chair and vice chair of the Board of Education are selected by the Board. The chair is to preside over the meetings. The vice chair is entitled to vote in all matters, but neither the chair nor the vice chair may vote to create a tie, then vote to break the tie.

Section 1 of the bill would clarify that the chair votes only in the case of a tie, and that the vice chair, when sitting as the chair, shall vote only in the case of a tie. Otherwise, the vice chair may vote on matters before the board.

Section 2. G.S. 153A-15 states that when a county, municipality, or other unit of local government seeks to obtain property *located in another county* by eminent domain, purchase, lease, or exchange, the board of commissioners in the county where the property is located must approve the acquisition.

Currently, G.S. 153A-15 applies in 85 counties.

Section 2 of the bill would add Beaufort, Dare, Gates, and Hyde Counties to the counties in which this law applies.

EFFECTIVE DATE: Effective when it becomes law.

Erika Churchill, counsel to Senate State and Local Government, substantially contributed to this summary.

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