



# HOUSE BILL 299: Henderson Cty/Build Community College Bldgs.

2019-2020 General Assembly

<b>Committee:</b>	House Education - Community Colleges. If favorable, re-refer to State and Local Government. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 26, 2019
<b>Introduced by:</b>	Reps. McGrady, Henson	<b>Prepared by:</b>	Samantha Yarborough Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** House Bill 299 would allow Henderson County to construct and renovate community college buildings on the Henderson County campus of Blue Ridge Community College, provided the County funds the construction entirely with County funds.

**CURRENT LAW:** G.S. 115D-9 requires approval by the State Board of Community Colleges before the expenditure of any State funds on capital improvements of existing community college institutions. G.S. 115D-15.1 requires approval by the State Board of Community Colleges before a community college may dispose, transfer, or acquire property. Chapter 143 gives the Department of Administration control of real property owned or leased by the State. G.S. 143-341(3) gives the Department of Administration control over the architecture and engineering of community college buildings.

### BILL ANALYSIS:

**Section 1** would authorize Henderson County to do the following:

- Construct or renovate community college buildings located on the campus of Blue Ridge Community College in Henderson County to be used for (i) a new arts, sciences, and general studies center and (ii) a new police officers physical abilities test training center.
- Make substantial renovations to existing buildings on campus.

Section 1 also sets forth requirements that Henderson County would have to meet in order to construct or renovate community college buildings located within Henderson County.

**Section 2** would allow Henderson County and the Board of Trustees of Blue Ridge Community College (BOT) to enter into a memorandum of understanding to allow Henderson County to construct and renovate community college buildings in a timely fashion and cost-efficient manner.

**Section 3(a)** would set a deadline of within 120 days of the effective date of this act for the BOT to identify to Henderson County (i) the real property upon which it intends the new buildings to be constructed and (ii) any other real property needed for the financing of the construction and renovations authorized by this act. The BOT would be required to identify a portion of the real property described in Book 490, Page 373 of the Henderson County Registry.

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**Section 3(b)** would set a deadline of within 30 days of the identification of the real property as provided in Section 3(a), for the BOT to transfer title to the identified property to Henderson County for the life of the debt incurred against the property for the construction or renovation authorized in Section 1.

**Section 3(c)** would require Henderson County to transfer the property back to the BOT upon satisfaction of the debt incurred in the construction or renovation of the buildings. If no debt is incurred against the property by December 31, 2022, Henderson County would be required to transfer title back to the BOT.

**Section 4** would allow Henderson County and the BOT to enter into a lease agreement for any space in County-owned buildings located within Henderson County.

**EFFECTIVE DATE:** Sections 1, 2, and 3 would be effective when they become law and apply only to construction and renovation projects by Henderson County on the Henderson County campus of Blue Ridge Community College between January 1, 2019, and December 31, 2023. The remainder of this act would be effective when it becomes law.

**BACKGROUND:** Similar acts affecting Henderson County and Blue Ridge Community College were enacted in 2016 (S.L. 2016-22) and 2017 (S.L. 2017-21).