



SENATE BILL 6: Dare County/CC Construction Funds.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	February 14, 2019
Introduced by:	Sen. Steinburg	Prepared by:	Susan Sitze*
Analysis of:	First Edition		Staff Attorney

OVERVIEW: Senate Bill 6 provides flexibility to the College of Albemarle in using State funds to enter into construction projects with Dare County for educational facilities.

[As introduced, this bill was identical to H19, as introduced by Rep. Hanig, which is currently in House Education - Community Colleges.]

CURRENT LAW: Chapter 115D of the General Statutes (Community Colleges) requires approval by the State Board of Community Colleges before the expenditure of any State funds on capital improvements of existing community college institutions and 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 and control over architecture and engineering of community college buildings.

Session Law 2017-183 exempts the College of Albermarle ("College") from the abovementioned State laws to allow the College to expend State funds, including Connect NC Bond funds, for the construction and renovation of educational facilities owned by and located on property owned by a county within the service area of the College (i.e., the Counties of Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans).

BILL ANALYSIS: Senate Bill 6 does the following:

- **Section 1** – Clarifies that the authority granted in Session Law 2017-183 includes the expenditure of State funds by the College for the construction and renovation of educational facilities owned by and located on property owned by Dare County, specifically (i) the razing of some or all of the existing College facility located in Manteo, known as the "Old Manteo Middle School," and (ii) the construction of a multi-use facility upon the "Old Manteo Middle School" campus for use by the College. Additionally, this language requires the multi-use facility to be leased by Dare County to the College for a period of at least 30 years.
- **Section 2** – If any Connect NC Bond proceeds are used for the activities described in Section 1, this section requires those funds to be spent on capital facilities that are to be used for community college purposes.
- **Section 3** – Allows the College to contract with Dare County for the activities described in Section 1 without being subject to G.S. 143-341, which sets forth the powers and duties of the Department of Administration

EFFECTIVE DATE: This act is effective when it becomes law and applies only to capital improvement projects with construction contracts executed prior to July 1, 2022.

**Brian Gwyn and Luke Gillenwater, Staff Attorneys, substantially contributed to this summary.*

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