



HOUSE BILL 1045: Mayland CC/Blue Ridge Hotel Transfer Auth.

2021-2022 General Assembly

Committee:	House Local Government. If favorable, re- refer to Rules, Calendar, and Operations of the House	Date:	June 14, 2022
Introduced by:	Rep. Greene	Prepared by:	Billy R. Godwin Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Bill 1045 would authorize the Mayland Community College to convey by gift to the Mayland Community College Enterprise Corporation, a nonprofit corporation, some or all of its right, title, and interest in the Blue Ridge Boutique Hotel property.*

CURRENT LAW: Article I, Section 32, of the State Constitution provides that no person or set of persons is entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services. Article 12 of Chapter 160A governs the sale and disposition of real property by a city or county and provides that real property must generally be sold through a competitive sale process. G.S. 115D-15 makes the provisions of that Article applicable to community colleges. In limited circumstances, public property may be gifted to a non-profit corporation carrying out a public purpose (G.S. 160A-279). Mayland Community College (College) is a community college located in Mitchell County. Mayland Community College Enterprise Corporation (MCCEC), is a nonprofit corporation organized under Chapter 55A of the General Statutes as a charitable or religious corporation. MCCEC was formed as a supporting organization, as defined in Section 509(a)(3) of the Internal Revenue Code, for the College.

BILL ANALYSIS: House Bill 1045 would authorize the College to convey by gift to the MCCEC some or all of its right, title, and interest in the Blue Ridge Boutique Hotel property.

EFFECTIVE DATE: The would be effective when the bill becomes law.

BACKGROUND: The College obtained the Blue Ridge Boutique Hotel property in 2015 from the Mayland Community College Foundation, Inc., a North Carolina non-profit corporation. The property has a tax value of \$1,897,600.

Jeffrey Hudson
Director



Legislative Analysis
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