



# HOUSE BILL 183: Various Local Provisions II.

2025-2026 General Assembly

<b>Committee:</b>		<b>Date:</b>	June 25, 2025
<b>Introduced by:</b>	Rep. Clampitt	<b>Prepared by:</b>	William Brewer
<b>Analysis of:</b>	Conference Committee Substitute (H183-CCSCM-2)		Staff Attorney

**OVERVIEW:** *The Conference Committee Substitute to House Bill 183 would do the following:*

- *Place a restriction on wake surfing in Lake Glenville.*
- *Modify the method of election for mayor in the Town of Louisburg.*
- *Authorize certain counties to construct community college buildings on those community college campuses.*

## CURRENT LAW/BILL ANALYSIS/EFFECTIVE DATES:

### Part 1 – Restrict Wake Surfing in Lake Glenville

Part I would make wake surfing on the waters of Lake Glenville in Jackson County within 200 feet of the shoreline or any structure, moored vessel, kayak, canoe, paddleboard, or swimmer a Class 1 misdemeanor. Wake surfing would be defined as the operation of a motorboat to which weight has been added in the stern via water-filled tanks or other ballasts for the purpose of creating an artificially enlarged wake that is or is intended to be surfed on by another person towed behind the motorboat.

The offense would be enforceable by law enforcement officers of the Wildlife Resources Commission, sheriffs, deputy sheriffs, and other peace officers with general subject matter jurisdiction and punishable by a fine of not less than \$100 in addition to any other punishment prescribed for the offense.

This Part would become effective October 1, 2025, and would apply to offenses committed on or after that date.

### Part II – Town of Louisburg Election for Mayor

Officers for the Town of Louisburg consist of a mayor and six council members. Officers are elected to serve staggered four-year terms. Elections are conducted using the nonpartisan plurality method, and elections are held in odd-numbered years.

Part II would amend the Charter for the Town of Louisburg to change the method of election for the mayor as follows:

- If two candidates or less file for the office of mayor, then the election would be conducted using the nonpartisan plurality method.
- If more than two candidates file for the office of mayor then the election would be conducted using the nonpartisan election and runoff method.

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This Part would become effective when the act becomes law and would apply to elections held in the Town of Louisburg on or after that date.

## **Part III, IV, and V – Community College Construction**

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.

Parts III, IV, and V would authorize the following counties to construct community college buildings on the following community college campuses:

- Henderson County on the campus of Blue Ridge Community College (Part III).
- Johnston County on the campus of Johnston Community College (Part IV).
- Rutherford County on the campus of Isothermal Community College (Part V).

The Board of Trustees of each community college (BOT) could 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 BOT informed of the construction progress. The county and the BOT would enter a memorandum of understanding to allow for the construction to be completed in a timely fashion and cost-efficient manner.

Parts III, IV, and V would be effective when they become law and apply only to construction projects, including additions, improvements, renovations, and repairs, coordinated by the respective county for the respective college uses and purposes.

*Erika Churchill, Jessica Sammons, Hillary Woodard, Samantha Yarborough, and Nick Giddings, Staff Attorneys with the Legislative Analysis Division, substantially contributed to this summary.*