GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE DRH10278-ST-59 (03/12)

Short Title:	Reimbursement Agreement Changes.	(Public)
Sponsors:	Representative Catlin.	
Referred to:		

A BILL TO BE ENTITLED
AN ACT TO CLARIFY WHEN THE PUBLIC BIDDING PROCESS MUST BE USED
   UNDER A REIMBURSEMENT AGREEMENT.
The General Assembly of North Carolina enacts:
        SECTION 1. G.S. 153A-451 reads as rewritten:
"**§ 153A-451. Reimbursement agreements.**
    (a)   A county may enter into reimbursement agreements with private developers and
property owners for the design and construction of municipal infrastructure that is included on
the county's Capital Improvement Plan and serves the developer or property owner. For the
purpose of this act, municipal infrastructure includes, without limitation, water mains, sanitary
sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control
devices, and other associated facilities.
    (b)   A county shall enact ordinances setting forth procedures and terms under which
such agreements may be approved.
    (c)   A county may provide for such reimbursements to be paid from any lawful source.
    (d)   Reimbursement agreements authorized by this section shall not be subject to Article
8 of Chapter 143 of the General Statutes, except as provided by this subsection. A Unless the
developer or property is designing and constructing the municipal infrastructure themselves, a
developer or property owner who is party to a reimbursement agreement authorized under this
section shall solicit bids in accordance with Article 8 of Chapter 143 of the General Statutes
when awarding contracts for work that would have required competitive bidding if the contract
had been awarded by the county."
        SECTION 2.   This act becomes effective July 1, 2013, and applies to
reimbursement agreements entered into on or after that date.