

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 356
PROPOSED COMMITTEE SUBSTITUTE S356-PCS45278-SB-2

Short Title: Surplus Property Proceeds to Parks and Water.

(Public)

Sponsors:

Referred to:

March 27, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THAT A PORTION OF PROCEEDS FROM THE SALE OF CERTAIN
3 STATE PROPERTY BE TRANSFERRED TO THE CLEAN WATER MANAGEMENT
4 TRUST FUND AND THE PARKS AND RECREATION TRUST FUND.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 7 of Subchapter II of Chapter 146 of the General Statutes is
7 amended by adding a new section to read:

8 **"§ 146-30.2. Calculation of net proceeds from the sale of State-owned real property located**
9 **outside the State Capital area.**

10 (a) Limitation. – Notwithstanding G.S. 146-30 or any other provision of law, net
11 proceeds from the sale of State-owned real property that is located outside of the State Capital
12 area shall be calculated in accordance with this section.

13 (b) State Capital Area. – For the purposes of this section, the term "State Capital area"
14 shall mean that area of land located in the City of Raleigh and situated within the following
15 boundaries:

- 16 (1) Peace Street on the north.
17 (2) Capital Blvd./Dawson Street on the west.
18 (3) Morgan Street on the south.
19 (4) Person Street on the east.

20 (c) Calculation of Net Proceeds. – For the purposes of this section, the term "net
21 proceeds" means the gross amount received from the sale of State-owned real property located
22 outside of the State Capital area, less the following:

- 23 (1) Any expenses incurred incident to that sale as may be allowed under rules and
24 regulations adopted by the Governor and approved by the Council of State.
25 (2) A service charge to be paid into the State Land Fund, unless such service
26 charge is prohibited by G.S. 146-30.
27 (3) An amount equal to twelve and one-half percent (12.5%) of the gross amount
28 received to be paid into the Clean Water Management Trust Fund established
29 under G.S. 143B-135.234(a).
30 (4) An amount equal to twelve and one-half percent (12.5%) of the gross amount
31 received to be paid into the Parks and Recreation Trust Fund established under
32 G.S. 143B-135.56(a).

33 (d) Application of Proceeds. – Except as otherwise provided in this section, net proceeds
34 shall be handled in accordance with the provisions of G.S. 146-30.

35 (e) Exception. – This section shall not apply to proceeds derived from the sale of land or
36 property originally purchased with, under the supervision and control of, or maintained with



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1 funds from the State Highway Fund or proceeds derived from the disposition of residue property
2 pursuant to G.S. 136-19.7."

3 **SECTION 2.** This act becomes effective July 1, 2019.