

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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**SENATE BILL 18
PROPOSED COMMITTEE SUBSTITUTE S18-PCS35033-BD-2**

Short Title: Stanly Cty Airport Authority/Members & Leases.

(Local)

Sponsors:

Referred to:

January 26, 2023

1 A BILL TO BE ENTITLED
2 AN ACT INCREASING THE NUMBER OF MEMBERS OF THE STANLY COUNTY
3 AIRPORT AUTHORITY AND AUTHORIZING THE AIRPORT AUTHORITY TO
4 ENTER INTO LEASES AND CONTRACTS FOR TERMS NOT TO EXCEED THIRTY
5 YEARS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** Section 2 of Chapter 419 of the 1971 Session Laws, as amended by
8 Chapter 238 of the 1983 Session Laws, Chapter 929 of the 1987 Session Laws, Chapter 583 of
9 the 1991 Session Laws, and S.L. 2009-253, reads as rewritten:

10 "~~Sec. 2.~~ Sec. 2.(a) The Airport Authority shall consist of ~~five~~ seven members, ~~four~~ five of
11 whom ~~are not members of the Stanly County Board of Commissioners but who~~ shall be appointed
12 to staggered terms of four years by the Stanly County Board of Commissioners. All of the
13 members shall be residents of the County. ~~The terms of the four appointed members of the~~
14 ~~Airport Authority shall be as follows: two members serving terms expiring March 31, 1993 and~~
15 ~~two members serving terms expiring March 31, 1995. Thereafter, all terms shall be for four years.~~
16 Each of the members ~~and their successors so appointed~~ who are not members of the Stanly
17 County Board of Commissioners shall take ~~and subscribe before the Clerk of the Superior Court~~
18 ~~of Stanly County, an oath of office administered by an official authorized under G.S. 11-7.1 and~~
19 ~~file same the oath with the Clerk to the Stanly County Board of Commissioners.~~ Upon the
20 occurrence of any vacancy on ~~said the~~ Airport Authority, ~~said the~~ vacancy shall be filled within
21 60 days after notice thereof at a regular meeting of the Stanly County Board of County
22 Commissioners.

23 (b) The ~~fifth member remaining~~ members of the Airport Authority shall be ~~a county~~
24 ~~commissioner, members of the Stanly County Board of Commissioners~~ who shall serve at the
25 pleasure of the Stanly County Board of Commissioners, but only as long as still serving as a
26 county commissioner. ~~The Stanly County Board of Commissioners may also appoint another~~
27 ~~member of the board of commissioners to serve as alternate member to attend and vote if the~~
28 ~~original appointee is unable to attend or is unable to vote.~~ As provided by G.S. 128-1.2, in the
29 case of ~~the a~~ member of the Stanly County Board of Commissioners serving as a voting member
30 of the ~~said~~ Airport Authority, such membership shall not constitute double office holding within
31 the meaning of Article VI, Sec. 9 of the Constitution of North Carolina, but instead is service ex
32 officio."

33 **SECTION 1.(b)** Nothing in this act shall affect the terms of office of the members
34 serving on the Stanly County Airport Authority on the effective date of this act. The Stanly
35 County Board of Commissioners shall make appointments for the two additional members of the



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1 Stanly County Airport Authority authorized by this act in such a way that will maintain the
2 staggering of the terms of office.

3 **SECTION 2.** Section 4 of Chapter 419 of the 1971 Session Laws, as amended by
4 Chapter 342 of the 1995 Session Laws and S.L. 2003-259, reads as rewritten:

5 "Sec. 4. The Airport Authority shall constitute a body, both corporate and politic, and shall
6 have the following powers and authority:

7 ...

8 (12) To lease for a term not to exceed ~~25~~30 years, and for purposes not inconsistent
9 with the grants and agreements under which the airport is held, real or personal property under
10 the supervision of or administered by the Airport Authority, except the Airport Authority may
11 execute leases with the United States of America, its agencies, departments, boards, and military
12 (including reserves and national guard) for terms not to exceed 50 years.

13 (13) To contract with persons, firms or corporations for terms not to exceed ~~25~~30
14 years, for the operation of airline-scheduled passenger and freight flights, non-scheduled flights,
15 and any other airplane activities not inconsistent with said grant agreements under which the
16 airport property is held, and to charge and collect reasonable and adequate fees, charges and rents
17 for the use of such property or for services rendered in the operation thereof.

18 (14) To erect and construct buildings, hangars, shops and other improvements and
19 facilities, not inconsistent with or in violation of the agreements applicable to and the grants
20 under which the real property of the airport is held; to lease the same for a term or terms not to
21 exceed ~~25~~30 years; to borrow money for use in making or paying for such improvements and
22 facilities, secured by and on the credit only of the lease agreements in respect thereto, to pledge
23 and assign such leases and lease agreements as security for loans herein authorized.

24"

25 **SECTION 3.** This act is effective when it becomes law and applies to contracts and
26 leases entered into, amended, or renewed on or after that date.