

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 336  
HOUSE BILL 546

AN ACT TO AMEND CHAPTER 6, PRIVATE LAWS OF NORTH CAROLINA 1840- 1841, AS AMENDED, PERTAINING TO THE CONSTRUCTION, OPERATION AND FINANCING OF HOSPITAL AND MEDICAL CARE FACILITIES BY THE TRUSTEES OF THE REX HOSPITAL, RALEIGH, NORTH CAROLINA.

Whereas, the "Trustees of the Rex Hospital" is a nonprofit corporation organized to carry out the purposes of a public charitable trust created under the will of John Rex, who died in February 1839, by conducting, operating and maintaining a hospital in the City of Raleigh, North Carolina, known as Rex Hospital, which hospital has served the citizens of the Raleigh area from 1894 to the present; and

Whereas, the Trustees of the Rex Hospital was created and exists by virtue of Chapter 6, Private Laws of North Carolina 1840-1841, as amended, and is governed by a Board of Trustees of up to 11 members; and

Whereas, subsequent to the organization of the Trustees of the Rex Hospital, the General Assembly of North Carolina enacted Chapter 55A of the North Carolina General Statutes, the Nonprofit Corporation Act; and

Whereas, the above-referenced Board of Trustees wishes to reorganize the Trustees of the Rex Hospital as a nonprofit corporation pursuant to the provisions of Chapter 55A of the North Carolina General Statutes, in order to modernize its corporate structure and to more effectively carry out its corporate purposes; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 6, Private Laws of 1840-1841, as amended by Chapter 53, Public-Local and Private Laws of 1935, as amended by Chapter 98, Public-Local Laws of 1939, as amended by Chapter 361, Session Laws of 1973, as amended by Chapter 1268, Session Laws of 1973, as amended by Chapter 724, Session Laws of 1977, as amended by Chapter 711, Session Laws of 1981, and as amended by Chapter 992, Session Laws of 1981, is amended by adding a new Section VI to read:

"VI. As an additional and alternative method of carrying out and effectuating the corporate purposes of the Trustees of the Rex Hospital, the Board of Trustees of such organization is authorized to: (i) incorporate, through one or more persons designated by them, a nonprofit corporation organized under the provisions of Chapter 55A of the North Carolina General Statutes, as it may be amended from time to time, (ii) serve as the initial Board of Directors of such nonprofit corporation, (iii) transfer and convey any and all property of the Trustees of the Rex Hospital, real or personal, tangible or

intangible, of whatsoever kind and nature, to such nonprofit corporation, and (iv) upon the organization of such nonprofit corporation and the transfer and conveyance of such property to it, to dissolve the corporation known as the Trustees of the Rex Hospital, as established under this Chapter 6, Private Laws of 1840-1841, as amended; provided, however, that any such nonprofit corporation organized pursuant to this section shall assume any and all lawful debts, obligations and liabilities of the Trustees of the Rex Hospital. Upon the dissolution of the corporation known as the Trustees of the Rex Hospital, as provided hereinabove, the Board of Trustees of such corporation, and their successors, shall be released and discharged from any further authority, duty or responsibility conferred upon them individually or collectively by the will of John Rex, or the public charitable trust created thereunder, and such public charitable trust shall be terminated and dissolved."

Sec. 2. Insofar as the provisions of this act are inconsistent with the provisions of any general or special laws, or parts thereof, the provisions of this act shall be controlling.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of June, 1985.