

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-98
HOUSE BILL 1226**

AN ACT TO CLARIFY THE LAW REGARDING INSPECTION, REVIEW, AND
EXAMINATION OF PRISON FACILITIES CONSTRUCTED THROUGH
LEASE-PURCHASE AGREEMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 148-37.2 is amended by adding a new subsection to read:

"(k) Upon completion of the construction of a facility authorized by this section and the commencement of the State's leasehold interest pursuant to the terms of a valid lease-purchase agreement:

- (1) The facility shall not be subject to county or municipal building codes and requirements and shall not be subject to inspection by any county or municipal authorities under G.S. 143-135.1.
- (2) The Department of Administration may exercise all powers and perform all duties set forth in G.S. 143-341 regarding the facility.
- (3) The Commissioner of Insurance shall conduct the inspections, reviews, and examinations of the facility set forth in G.S. 58-31-40 and shall conduct electrical inspections of the facility pursuant to G.S. 143-143.2."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of June, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 9:10 p.m. this 21st day of June, 2005