

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**SESSION LAW 2010-79
SENATE BILL 1357**

AN ACT TO MODIFY THE CABARRUS COUNTY TOURISM AUTHORITY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2(a) of Chapter 658 of the 1989 Session Laws, as amended by Section 1 of Chapter 97 of the 1999 Session Laws, reads as rewritten:

"(a) Establishment and Membership. ~~When the Cabarrus County Board of Commissioners adopts a resolution levying a room occupancy tax pursuant to this act, it shall establish and create the~~ The Cabarrus County Tourism Authority is composed of ~~nine~~ 12 members, with seats on the Authority numbered one through ~~nine~~, 12, all of whom shall be appointed by the board, Cabarrus County Board of Commissioners, selected as follows:

- (1) Seats 1, 4, and 7 shall be selected by the board at large and shall include, but not be limited to, at least one member of the board or the Cabarrus County ~~Manager; Manager~~ and shall include one hotelier.
- (2) Seats 2, 5, and 8 shall be appointed by the board from a list of ~~at least three~~ persons submitted by the Cabarrus County Tourism ~~Authority; Authority~~ and shall include one hotelier and at least one person currently active in the promotion of tourism in the county.
- (3) Seats 3, 6, and 9 shall be appointed by the board from a list of ~~at least three~~ persons submitted to the board by the Cabarrus Regional Chamber of ~~Commeree; Commerce~~ and shall include one hotelier.
- (4) Seats 10, 11, and 12 shall be appointed by the board from a list of persons submitted to the board by the Cabarrus County Tourism Authority and shall include one hotelier and at least one person currently active in the promotion of tourism in the county."

SECTION 2. Section 2(b) of Chapter 658 of the 1989 Session Laws, as amended by Section 1 of Chapter 97 of the 1999 Session Laws, reads as rewritten:

"(b) Terms of Office. Except as otherwise provided in the schedule set forth below, the term of office of each member of the Authority shall be three years. The terms shall be staggered so that after the initial members of the Authority are appointed, ~~three~~ four members are appointed each year, implemented as follows:

- (1) Seats 1, 2, ~~and 3,~~ and 10 shall be appointed initially for one year, and thereafter for three ~~years;~~ years.
- (2) Seats 4, 5, ~~and 6,~~ and 11 shall be appointed initially for two years, and thereafter for three ~~years;~~ and years.
- (3) Seats 7, 8, ~~and 9,~~ and 12 shall be appointed initially for three years, and thereafter for three years."

SECTION 3. Section 2 of Chapter 658 of the 1989 Session Laws, as amended by Section 1 of Chapter 97 of the 1999 Session Laws, is amended by adding a new subsection to read:



"(b1) When any vacancy occurs, the organization responsible for nominating members for full terms for the vacant seat shall submit a recommendation to the Cabarrus County Board of Commissioners."

SECTION 4. Section 2(c) of Chapter 658 of the 1989 Session Laws reads as rewritten:

"(c) Powers and Duties of the Authority. In addition to any other powers and duties of the Authority otherwise conferred by law, the Authority may contract with any person, firm, corporation, or agency to assist it in the promotion of travel and tourism and to carry out the purposes identified in Section 1(e) of this act. The Authority may accept contributions from any source to be used for the purposes stated in Section (1)(e) of this act.

On or before April 1 of each year after the levy of the tax authorized in this act, the Authority shall prepare an annual budget based upon anticipated revenues and shall submit the budget to the Cabarrus County Manager for processing and approval through the regular budget procedure of the County. The Authority shall make quarterly reports to the board detailing its revenues, expenditures, and activities. The County may audit the Authority's financial records upon reasonable notice to the Authority. ~~At the end of each fiscal year, any funds of the Authority not expended, obligated, or reserved, as approved by the County, shall be remitted to Cabarrus County for its use."~~

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 9th day of July, 2010.

s/ Walter H. Dalton
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives