

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-373
HOUSE BILL 596**

AN ACT TO REQUIRE THAT THE PROCEEDS OF CERTAIN DISPOSITIONS OF STATE-OWNED REAL PROPERTY BE USED IN PART TO SUPPORT THE GENERAL FUND, IN PART TO SUPPORT THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, AND IN PART TO SUPPORT THE AGENCIES TO WHICH THE PROPERTY WAS ALLOCATED; AND TO APPROPRIATE FUNDS FOR THESE PURPOSES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 146-30(a) reads as rewritten:

"§ 146-30. Application of net proceeds.

(a) The net proceeds of any disposition made in accordance with this Subchapter shall be handled in accordance with the following priority: First, in accordance with the provisions of any trust or other instrument of title whereby title to such real property was heretofore acquired or is hereafter acquired; second, as provided by any other act of the General Assembly; third, ~~the net proceeds shall be deposited with the State Treasurer. Provided, however, nothing herein shall be construed as prohibiting the disposition of any State lands by exchange for other lands, but if the appraised value in fee simple of any property involved in the exchange is at least twenty-five thousand dollars (\$25,000), then such exchange may not be made without consultation with the Joint Legislative Commission on Governmental Operations~~ as follows:

- (1) If the appraised value of the land exceeds six million dollars (\$6,000,000), the net proceeds shall be deposited with the State Treasurer to support the General Fund.
- (2) If the appraised value of the land does not exceed six million dollars (\$6,000,000), the net proceeds shall be deposited as follows:
 - a. Twenty-five percent (25%) to the State agency to which the property was allocated. These funds may be used for any purpose authorized by law and are hereby appropriated.
 - b. Twenty-five percent (25%) to the State Treasurer to support the General Fund.
 - c. Fifty (50%) to the State Treasurer to be deposited in the Teachers' and State Employees' Retirement System of North Carolina. These funds are hereby appropriated.

However, no State lands or contract shall be divided for the purpose of evading the appraised value of the provisions of this Subchapter."

SECTION 2. G.S. 146-30 is amended by adding a new subsection to read:

"(a1) Nothing in this section shall be construed to prohibit the disposition of any State lands by exchange for other lands, but if the appraised value in fee simple of any property involved in the exchange is at least twenty-five thousand dollars (\$25,000), then such exchange may not be made without consultation with the Joint Legislative Commission on Governmental Operations."



SECTION 3. For the 2011-2013 fiscal biennium, the provisions of Section 6.15(c) of S.L. 2011-145 shall supersede the provisions of G.S. 146-30, as amended by this act. In fiscal year 2011-2012, any net proceeds from the disposition of State-owned disposal assets that exceed fifteen million dollars (\$15,000,000) may be allocated in accordance with G.S. 146-30, as amended by this act. In fiscal year 2012-2013, any net proceeds from the disposition of State-owned disposal assets that exceed twenty-five million dollars (\$25,000,000) may be allocated in accordance with G.S. 146-30, as amended by this act.

SECTION 4. Sections 1 and 2 of this act become effective July 1, 2011, and expire January 1, 2016. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 17th day of June, 2011.

s/ Walter H. Dalton
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 12:57 p.m. this 27th day of June, 2011