

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

**SESSION LAW 2023-28
SENATE BILL 18**

AN ACT INCREASING THE NUMBER OF MEMBERS OF THE STANLY COUNTY AIRPORT AUTHORITY AND AUTHORIZING THE AIRPORT AUTHORITY TO ENTER INTO LEASES AND CONTRACTS FOR TERMS NOT TO EXCEED THIRTY YEARS.

The General Assembly of North Carolina enacts:

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

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

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

SECTION 1.(b) Nothing in this act shall affect the terms of office of the members serving on the Stanly County Airport Authority on the effective date of this act. The Stanly County Board of Commissioners shall make appointments for the two additional members of the Stanly County Airport Authority authorized by this act in such a way that will maintain the staggering of the terms of office.

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

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



...

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

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

...."

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

In the General Assembly read three times and ratified this the 5th day of June, 2023.

s/ Carl Ford
Presiding Officer of the Senate

s/ Joe John
Presiding Officer of the House of Representatives