

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

**H.B. 1011**  
**May 24, 2018**  
**HOUSE PRINCIPAL CLERK**

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**HOUSE BILL DRH30437-MWz-22**

Short Title: DOT Property Sale Proceeds/Highway Fund. (Public)

Sponsors: Representatives Torbett, Iler, Presnell, and Shepard (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT NET PROCEEDS FROM THE SALE OF LAND OR FACILITIES PURCHASED WITH FUNDS FROM THE STATE HIGHWAY FUND ARE TO BE DEPOSITED INTO THE STATE HIGHWAY FUND, AS RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON STRATEGIC TRANSPORTATION PLANNING AND LONG TERM FUNDING SOLUTIONS.

The General Assembly of North Carolina enacts:

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

"(c) The amount or rate of such service charge shall be fixed by rules and regulations adopted by the Governor and approved by the Council of State, but as to any particular sale, lease, rental, or other disposition, it shall not exceed ten percent (10%) of the gross amount received from such sale, lease, rental, or other disposition. Notwithstanding any other provision of this Subchapter, the net proceeds derived from the sale of land or products of land owned by or under the supervision and control of the Wildlife Resources Commission, or acquired or purchased with funds of that Commission, shall be paid into the Wildlife Resources Fund. Provided, however, the net proceeds derived from the sale of land or timber from land owned by or under the supervision and control of the Department of Agriculture and Consumer Services shall be deposited with the State Treasurer in a capital improvement account to the credit of the Department of Agriculture and Consumer Services, to be used for such specific capital improvement projects or other purposes as are provided by transfer of funds from those accounts in the Capital Improvement Appropriations Act. Provided further, the net proceeds derived from the sale of park land owned by or under the supervision and control of the Department of Natural and Cultural Resources shall be deposited with the State Treasurer in a capital improvement account to the credit of the Department of Administration to be used for the purpose of park land acquisition as provided by transfer of funds from those accounts in the Capital Improvement Appropriations Act. In the Capital Improvement Appropriations Act, line items for purchase of park and agricultural lands will be established for use by the Departments of Administration and Agriculture. The use of such funds for any specific capital improvement project or land acquisition is subject to approval by the Director of the Budget. No other use may be made of funds in these line items without approval by the General Assembly except for incidental expenses related to the project or land acquisition. Additionally with the approval of the Director of the Budget, either Department may request funds from the Contingency and Emergency Fund when the necessity of prompt purchase of available land can be demonstrated and funds in the capital improvement accounts are insufficient. Provided further, the net proceeds derived from the sale of any portion of the land owned by the State in or around the Butner Reservation on or after July 1, 1980, shall be deposited with the State Treasurer in a capital improvement account



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1 to the credit of the Department of Health and Human Services to make capital improvements on  
2 or to property owned by the State in the Butner Reservation subject to approval by the Office of  
3 State Budget and Management, and may be used to build industrial access roads to industries  
4 located or to be located on the Butner Reservation, to construct new city streets in the Butner  
5 Reservation, extend water and sewer service on the Butner Reservation, repair storm drains on  
6 the Butner Reservation, and for other capital uses on the Reservation as determined by the  
7 Secretary. Provided further, notwithstanding any other provision of this Subchapter, the proceeds  
8 derived from the lease dispositions of land or facilities owned or under the supervision and  
9 control of East Carolina University's Division of Health Sciences for the delivery of health care  
10 services shall be deposited in clinical accounts at East Carolina University to be used to improve  
11 access to patient care. Provided further, notwithstanding any other provision of this Subchapter,  
12 the net proceeds derived from the sale of land or facilities purchased with funds from the State  
13 Highway Fund shall be deposited into the State Highway Fund."

14 **SECTION 2.** This act is effective when it becomes law and applies to sales made on  
15 or after that date.