

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-377
HOUSE BILL 279

AN ACT TO AUTHORIZE TOWNSHIP HOSPITALS STILL OPERATING UNDER
PRE-1983 LAW TO LEVY ADDITIONAL TAXES AFTER A REFERENDUM,
AND TO MODERNIZE PROVISIONS OF LAW APPLICABLE TO THEM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131-4, as it applies to hospitals continuing to operate under Article 2, Chapter 131 of the North Carolina General Statutes pursuant to Section 3, Chapter 775 of the 1983 Session Laws, is amended by adding a new subdivision to read:

"(4) Extension of Tax Levy. Prior to or following the expiration of the tax levy specified in subdivision (3) of this section, a new petition may be presented to the governing body of any county in which a township is located, signed by 200 resident freeholders of such township asking that an annual tax continue to be levied for the maintenance, operation, and improvement of the public hospital, after the expiration of the tax levy specified in subdivision (3). The procedure for submitting the petition and holding an election on the issue of continuing the tax levy shall be the same as the procedure for the petition and election for establishment of the initial tax levy, provided that the requirement that 150 of the 200 petitioners not be residents of the city, town, or village where the hospital is to be located shall not apply. The tax to be levied under such new election shall not exceed one twenty-fifth of one cent (1/25 of 1 cent) on the dollar (\$1.00) for a period of time not exceeding 30 years and shall be for the issue of county or township bonds to provide funds for the maintenance and improvement of the public hospital."

Section 2. G.S. 131-5 reads as rewritten:

"§ 131-5. Election on tax levy; collection and application of funds.

The board of elections of such county, township, or town shall submit to the qualified electors thereof, at a regular or special election, the question whether there shall be levied upon the assessed property of such county, township, or town a tax of one fifteenth of one cent (1/15 of 1¢) on the dollar (\$1.00) for the purchase of real estate for hospital purposes, for the construction of hospital buildings, and for maintaining same, or for either or all of such purposes. The ballots to be used at any election at which the hospital question is submitted shall be printed with a statement substantially as follows:

Yes.

For a cent tax for a bond issue for a public hospital and for maintenance of same.

No.

If a majority of the qualified voters at such election on the proposition shall be in favor of a tax as submitted for a bond issue for a public hospital and for maintenance of same, the governing body shall levy the tax so authorized, which shall be collected in the same manner as other taxes are collected, and credited to the "Hospital Fund," and shall be paid out on the order of the hospital trustees for the purposes authorized by this Article, and for no other purposes whatever.

The procedure for the submission of the issue of the continuation of the tax levy shall be the same as set forth above, provided that the tax shall not exceed one twenty-fifth of one cent (1/25 of 1 cent) on the dollar (\$1.00) and the issue to be submitted to the voters shall be as follows:

FOR

AGAINST

A — cent tax for a bond issue for maintenance and improvement of the public hospital'."

Section 3. All hospitals which continue to operate under Article 2 of Chapter 131 of the General Statutes pursuant to Section 3 of Chapter 775 of the 1983 Session Laws shall, in addition to the powers and authorities set forth in Article 2 of Chapter 131 of the General Statutes have the powers set forth in G.S. 131 E-7(a)(1), (3), (5), (6), 131E-7(b), 131E-7(c), 131E-7.1, 131E-11, 131E-23(1), (2), (5), (6), (7), (8), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (23), (24), (25), (26), (27), (28), (30), (31), (32), (33), (34), 131E-26, and 131E-27.

Section 4. Any hospital continuing to operate under Article 2 of Chapter 131 of the General Statutes pursuant to Section 3 of Chapter 775 of the 1983 Session Laws shall be considered to be a "public hospital" within the meaning of G.S. 159-39 and to be a "unit of local government" within the meaning of G.S. 160A-20.

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

In the General Assembly read three times and ratified this the 19th day of July, 1999.

s/ Dennis A. Wicker
President of the Senate

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

s/ James B. Hunt, Jr.
Governor

Approved 9:39 p.m. this 4th day of August, 1999