

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
May 7, 2024
S.B. 905
PRINCIPAL CLERK

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SENATE BILL DRS45460-ST-80

Short Title: Employee Housing/Durham County. (Local)

Sponsors: Senator Woodard (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DURHAM PUBLIC SCHOOLS BOARD OF EDUCATION AND THE COUNTY OF DURHAM TO PROVIDE AFFORDABLE RENTAL HOUSING FOR TEACHERS, POLICE OFFICERS, FIRST RESPONDERS, AND OTHER EMPLOYEES OF DURHAM PUBLIC SCHOOLS AND DURHAM COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, and subject to the restrictions set out in this act, the Durham Public Schools Board of Education and the County of Durham may enter into a partnership, joint venture, land trust, or similar arrangement with each other to construct, provide, and maintain affordable housing on property now owned by the Durham Public Schools Board of Education or by the County of Durham.

SECTION 2. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, this act authorizes the Durham Public Schools Board of Education and the County of Durham to convey property owned by either local government or both local governments to such partnership, joint venture, land trust, or similar arrangement for the purposes of constructing, providing, and maintaining affordable housing for Durham Public Schools Board of Education teachers, sworn law enforcement officers, or other first responders employed by local governments in Durham County and, if units remain available, to Durham Public Schools Board of Education employees. The Durham Public Schools Board of Education and the County of Durham shall not transfer property acquired on or after the effective date of this act by eminent domain to the partnership, joint venture, land trust, or similar arrangement created pursuant to this act.

SECTION 3. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, Durham Public Schools Board of Education and the County of Durham, or the partnership, joint venture, land trust, or similar arrangement created pursuant to this act, may contract with any person, partnership, corporation, or other business entity to finance, construct, or maintain such affordable housing.

SECTION 4. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, the Durham Public Schools Board of Education, the County of Durham, or the partnership, joint venture, land trust, or similar arrangement created pursuant to this act may enter into residential housing unit lease agreements at reasonable rents for the housing units constructed, provided, maintained, or leased pursuant to this act and may in its discretion charge below-market rates. The Durham Public Schools Board of Education, the County of Durham, or the partnership, joint venture, land trust, or similar arrangement created pursuant to this act shall restrict the rental of such units exclusively to



1 Durham Public Schools Board of Education teachers, sworn law enforcement officers, or other
2 first responders employed by local governments in Durham County and, if units remain available,
3 to Durham Public Schools Board of Education employees. Of housing constructed, provided,
4 maintained, or leased pursuant to this act, at least seventy-five percent (75%) of housing units
5 shall be reserved for use by Durham Public Schools Board of Education teachers.

6 **SECTION 5.** This act shall not exempt any affordable housing units constructed,
7 provided, maintained, or leased pursuant to this act from compliance with applicable building
8 codes, zoning ordinances, or any other health and safety statutes, rules, or regulations.

9 **SECTION 6.** This act is effective when it becomes law.