

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 755

Short Title: Public Land Records Exempt.

(Public)

Sponsors: Senators Sherron, Martin of Pitt; and Carpenter.

Referred to: Judiciary II.

April 8, 1993

A BILL TO BE ENTITLED

AN ACT TO TEMPORARILY EXEMPT CERTAIN PUBLIC REAL PROPERTY RECORDS FROM PUBLIC INSPECTION AND EXAMINATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 132-6 reads as rewritten:

"§ 132-6. Inspection and examination of records.

(a) Every person having custody of public records shall permit them to be inspected and examined at reasonable times and under his supervision by any person, and he shall furnish certified copies thereof on payment of fees as prescribed by law.

(b) Notwithstanding the foregoing, public records relating to the proposed expansion or location of specific business or industrial projects in the State may be withheld so long as their inspection, examination or copying would frustrate the purpose for which such public records were created; provided, however, that nothing herein shall be construed to permit the withholding of public records relating to general economic development policies or activities.

(c) Notwithstanding any other provision of law, all public records, except appraisals, made or received in conjunction with the proposed acquisition of any interest in real property, by purchase, exchange, gift, condemnation, or lease, or the proposed disposition of any interest in real property, by sale, exchange, or lease, shall be withheld from public inspection until:

(1) In the case of State agencies,

a. The proposed acquisition or proposed disposition has been first presented to the:

- 1                                   1.    Joint Legislative Commission on Governmental  
2    Operations; or  
3                                   2.    The Council of State; or  
4                                   3.    The Board of Transportation; or  
5                    b.    The proposed transaction has been terminated or abandoned by:  
6                                   1.    The Department of Administration; or  
7                                   2.    The Board of Transportation; or  
8                    2.    In the case of units of local government, as defined in G.S. 159-7(15),  
9                                    the proposed acquisition or disposition has been first presented for  
10                                   formal consideration, or terminated, or abandoned by the unit of local  
11                                   government.  
12            Appraisals made or received in these proposed acquisitions or dispositions shall be  
13            withheld from public inspection until the property has been acquired or sold, as  
14            evidenced by the recording of a deed or lease, a final judgment has been entered in a  
15            condemnation action, or the proposed transaction has been terminated or abandoned by  
16            the Department of Administration, the Board of Transportation, or the unit of local  
17            government, whichever occurs first."  
18                    Sec. 2. This act is effective upon ratification.