

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 798
SENATE BILL 739

AN ACT TO TOLL THE STATUTE OF LIMITATIONS IN A CIVIL ACTION
DURING A PERIOD OF INCOMPETENCY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-17(a) reads as rewritten:

"(a) A person entitled to commence an action who is at the time the cause of action accrued either

- (1) Within the age of 18 years; ~~or~~
- (2) Insane; or
- (3) Incompetent as defined in G.S. 35A-1101(7) or (8) may bring his action within the time herein limited, after the disability is removed, except in an action for the recovery of real property, or to make an entry or defense founded on the title to real property, or to rents and services out of the same, when he must commence his action, or make his entry, within three years next after the removal of the disability, and at no time thereafter.

For those persons under a disability on January 1, 1976, as a result of being imprisoned on a criminal charge, or in execution under sentence for a criminal offense, the statute of limitations shall commence to run and no longer be tolled from January 1, 1976."

Sec. 2. This act shall become effective October 1, 1987, and apply to all causes of action arising on or after that date.

In the General Assembly read three times and ratified this the 12th day of August, 1987.