

Civil Law and Procedure

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Perpetual Care of Certain Cemeteries.

SL 2025-68 (H210)

S.L. 2025-68 (House Bill 210) defines "care and maintenance" in the North Carolina Cemetery Act and directs the North Carolina Cemetery Commission (Commission) to adopt rules establishing minimum standards for care and maintenance of cemeteries. The rules must provide that if a licensee is in violation of the minimum standards for care and maintenance, the Commission can revoke or suspend the license or impose a civil penalty of \$50 per day, provided the Commission has given the licensee at least 10 days' written notice. This act also requires cemetery companies to produce annual reports with the details of the care and maintenance work performed.

This act became effective July 7, 2025.

IOLTA Expenditures – 2025 Public Safety Act.

SL 2025-70 (S429), Sec. 25

Section 25 of S.L. 2025-70 (Senate Bill 429) prevents funds received by the North Carolina State Bar from banks that represent interest earned on general trust accounts or escrow accounts established by lawyers from being encumbered or expended for any purpose other than administrative costs during the period beginning July 1, 2025, and ending June 30, 2026.

This section of the act became effective July 9, 2025.

Surveyor Right of Entry – Regulatory Reform Act of 2025.

SL 2025-94 (H926), Sec. 2

Section 2 of S.L. 2025-94 (House Bill 926) recodifies the existing limited right of entry by professional land surveyors and removes the requirement that professional land surveyors make reasonable efforts to notify adjoining property owners before conducting surveying activities.

This section became effective October 6, 2025, and applies to acts on or after that date.

Award Attorneys' Fees for Trespass to Real Property or Surveyor Negligence – Regulatory Reform Act of 2025.

SL 2025-94 (H926), Sec. 2.5

Section 2.5 of S.L. 2025-94 (House Bill 926) allows courts to award attorneys' fees in actions for trespass upon real property and in actions against licensed surveyors or their agents in actions

where the negligence or deficiency of the professional surveyor or their agent caused physical damage or economic or monetary loss.

This section became effective October 6, 2025.

Protect the Right to Race – Regulatory Reform Act of 2025.

SL 2025-94 (H926), Sec. 26

Section 26 of S.L. 2025-94 (House Bill 926) provides that a racing facility is not subject to a nuisance action brought by a surrounding property owner within a three-mile radius of the facility if the developer of the racing facility obtained all required permits for construction of the facility before the surrounding property owner either purchased the real property or constructed any building within the three-mile radius.

This section became effective October 6, 2025, and applies to actions commenced on or after that date.