

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 954

Short Title: Property Rights/Just Compensation.

(Public)

Sponsors: Representatives G. Miller, Fitch, Ramsey; Alexander, Balmer, Beall, Berry, Brawley, J. Brown, Burton, Culp, Decker, Esposito, Flaherty, Hill, Jenkins, Morgan, Oldham, G. Thompson, and Weatherly.

Referred to: Judiciary I.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF PROPERTY RIGHTS.

The General Assembly of North Carolina enacts:

Section 1. Article 4 of Chapter 40A of the General Statutes is amended by adding a new section to read:

"§ 40A-70. Rights of property owners.

(a) No municipality, county government, or other political subdivision of this State shall alter, remove, or cause to be altered or removed, any lawfully established use or structure without the payment of just compensation. Just compensation shall be cash or other legal tender, but shall not include allowing the continuation of a use or structure over a specified period of time.

(b) This section does not apply to any ordinance or other action by a municipality adopted or taken prior to the effective date of this act."

Sec. 2. This act is effective upon ratification.