

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 652

Short Title: CAP-Tort Liability.

(Public)

Sponsors: Senator Sands.

Referred to: Judiciary I.

March 31, 1993

A BILL TO BE ENTITLED

1 AN ACT TO PLACE THE CIVIL AIR PATROL UNDER THE STATE TORT
2 CLAIMS ACT FOR CORPORATE AND STATE REQUESTED AND
3 APPROVED MISSIONS.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 143B-492 reads as rewritten:

7 "**§ 143B-492. State liability.**

8 Unless otherwise specifically provided, the members of the North Carolina Wing-
9 Civil Air Patrol shall serve without compensation and shall not be entitled to the
10 benefits of the retirement system for teachers and State employees as set forth in
11 Chapter 135 of the General Statutes. The provisions of Article 31 of Chapter 143 of the
12 General Statutes, with respect to tort claims against State departments and agencies,
13 shall not be applicable to the activities of the North Carolina Wing-Civil Air Patrol, ~~and~~
14 unless those activities are corporate activities or State requested and approved missions
15 which are not covered by the Federal Tort Claims Act, and, except for claims brought
16 by persons who are not members or guests of the North Carolina Wing-Civil Air Patrol
17 for damages arising out of these activities, the State or its agencies shall not in any
18 manner be liable, except as provided in G.S.97-2, for injury or damage to any person,
19 firm, or corporation by reason of the acts of the North Carolina Wing-Civil Air Patrol its
20 subdivisions or any of the members or officers thereof. The State shall not in any
21 manner be liable for any of the contracts, debts, or obligations of the said organization."
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Sec. 2. This act is effective upon ratification.