

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 812

Short Title: Raise Small Claims Amount.

(Public)

---

Sponsors: Senators Ballantine, Carrington, McDaniel, Blackmon, Foxx, Kincaid, Shaw, Horton, Ledbetter, Clark, Edwards, Page, Ballance, Lucas, Simpson, Hartsell, Allran, Carpenter, Davis, East, Little, Forrester, Cochrane, Kerr, and Rand.

---

Referred to: Judiciary I/Constitution

---

April 25, 1995

A BILL TO BE ENTITLED

1 AN ACT TO RAISE THE AMOUNT THAT MAY BE IN CONTROVERSY IN  
2 SMALL CLAIMS COURT.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 7A-210 reads as rewritten:

5 **"§ 7A-210. Small claim action defined.**

6 For purposes of this Article a small claim action is a civil action wherein:

- 7 (1) The amount in controversy, computed in accordance with G.S. 7A-243,  
8 does not exceed ~~three thousand dollars (\$3,000);~~ five thousand dollars  
9 (\$5,000); and  
10 (2) The only principal relief prayed is monetary, or the recovery of specific  
11 personal property, or summary ejectment, or any combination of the  
12 foregoing in properly joined claims; and  
13 (3) The plaintiff has requested assignment to a magistrate in the manner  
14 provided in this Article.  
15

16 The seeking of the ancillary remedy of claim and delivery or an order from the clerk  
17 of superior court for the relinquishment of property subject to a lien pursuant to G.S 44A-

- 1 4(a) does not prevent an action otherwise qualifying as a small claim under this  
2 Article from so qualifying."  
3 Sec. 2. This act becomes effective December 1, 1995, and applies to claims  
4 filed for causes of action arising on or after that date.