

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2394

Short Title: Federal Superfund Liens.

(Public)

Sponsors: Representative Rhyne.

Referred to: Judiciary.

June 22, 1990

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT NOTICE OF LIENS FOR THE COST AND
3 DAMAGES PAYABLE TO THE UNITED STATES FOR THE CLEANUP OF
4 ANY SITE COVERED BY CERCLA/SARA BE FILED IN THE OFFICE OF THE
5 CLERK OF SUPERIOR COURT OF THE COUNTY IN WHICH THE
6 PROPERTY IS LOCATED.

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 44 of the General Statutes is amended by adding a new
9 Article to read:

10 **“ARTICLE 15.**

11 **“FEDERAL SUPERFUND LIENS.**

12 **“§ 44-86. Filing federal Superfund liens.**

13 Notices of liens upon real property for costs and damages payable to the United
14 States pursuant to 42 U.S.C. § 9607(1) shall be filed in the office of the clerk of
15 superior court of the county in which the real property subject to this lien is situated.”

16 Sec. 2. Part 4 of Article 9 of Chapter 130A of the General Statutes is
17 amended by adding a new section to read:

18 **“§ 130A-310.23. Filing notice of federal liens.**

19 Notice of liens upon real property for costs and damages payable to the United
20 States under CERCLA/SARA (42 U.S.C. § 9607(1)) shall be filed in accordance with
21 G.S. 44-86.”

22 Sec. 3. This act shall become effective August 1, 1990.