

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

2

SENATE BILL 307
Second Edition Engrossed 4/25/95

Short Title: Sanitary Districts "Quick Take".

(Public)

Sponsors: Senators Davis, Hoyle, East, Carpenter, Forrester, and Hartsell.

Referred to: Judiciary II/Election Laws

March 6, 1995

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE SANITARY DISTRICTS TO HAVE THE RIGHT TO
2 IMMEDIATE POSSESSION OF CERTAIN PROPERTY ACQUIRED BY
3 EMINENT DOMAIN.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 40A-42(a) reads as rewritten:

7 "(a) When a local public condemnor is acquiring property by condemnation for a
8 purpose set out in G.S. 40A-3(b)(1), (4) or (7), or when a city is acquiring property for a
9 purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when a county is
10 acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or when a
11 condemnor is acquiring property by condemnation as authorized by ~~G.S. 40A-3(e)(8),~~
12 G.S. 40A-3(c)(1), (8), (9), (10) or (12), title to the property and the right to immediate
13 possession shall vest pursuant to this subsection. Unless an action for injunctive relief has
14 been initiated, title to the property specified in the complaint, together with the right to
15 immediate possession thereof, shall vest in the condemnor upon the filing of the
16 complaint and the making of the deposit in accordance with G.S. 40A-41."

17 Sec. 2. This act is effective upon ratification.