

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 371
Mar 26, 2015
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH40192-LR-25G (01/08)

Short Title: Terror Claims/Damages/Liability for Support. (Public)

Sponsors: Representatives Whitmire, Cleveland, and Stevens (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT CREATING A CIVIL CLAIM FOR RELIEF FOR DAMAGES SUSTAINED AS
3 THE RESULT OF TERRORIST ACTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 43 of Chapter 1 of the General Statutes is amended by adding
6 a new section to read:

7 "§ 1-539.2D. Civil liability for acts of terror.

8 (a) The following definitions apply in this section:

9 (1) Act of terror. – An activity with all of the following characteristics:

10 a. Involves violent acts or acts dangerous to human life that violate
11 federal or State law.

12 b. Appears to be intended (i) to intimidate or coerce a civilian
13 population, (ii) to influence the policy of a government by
14 intimidation or coercion, or (iii) to affect the conduct of a
15 government by mass destruction, assassination, or kidnapping.

16 c. Occurs primarily within this State.

17 (2) Terrorist. – A person who commits an act of terror, including a person who
18 acts as an accessory before or after the fact, aids or abets, solicits, or
19 conspires to commit an act of terror or who lends material support to an act
20 of terror.

21 (b) Any person whose property or person is injured by a terrorist may sue for and
22 recover damages from the terrorist.

23 (c) Any person who files an action under this section is entitled to recover three times
24 the actual damages sustained or ten thousand dollars (\$10,000), whichever is greater, as well as
25 court costs and attorneys' fees in the trial and appellate courts if the person prevails in the
26 claim.

27 (d) The rights and remedies provided by this section are in addition to any other rights
28 and remedies provided by law.

29 (e) The limitations period for a claim under this section is five years from the date of
30 the injury."

31 SECTION 2. G.S. 14-10.1 is amended by adding a new subsection to read:

32 "(e) Any person whose property or person is injured by reason of a violation of this
33 section may sue for and recover treble damages, costs, and attorneys' fees pursuant to
34 G.S. 1-539.2D."

35 SECTION 3. This act becomes effective December 1, 2015, and applies to acts
36 committed on or after that date.



* D R H 4 0 1 9 2 - L R - 2 5 G *