GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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SENATE BILL 719 Judiciary I Committee Substitute Adopted 4/12/01

Short Title: TTA Eminent Domain.	(Public)
Sponsors:	
Referred to:	
March 28, 2001	
A BILL TO BE ENTITLED	
AN ACT TO PROVIDE QUICK-TAKE PROCEDURES IN EMINEN	T DOMAIN
PROCEEDINGS BY A REGIONAL PUBLIC TRANSPORTATION A	
AND BY A STATE-OWNED RAILROAD COMPANY.	
The General Assembly of North Carolina enacts:	
SECTION 1. G.S. 40A-42(a) reads as rewritten:	
"(a) When a local public condemner is acquiring property by conder	nnation for a
purpose set out in G.S. 40A-3(b)(1), (4) or (7), or when a city is acquiring p	
purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when	a county is
acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or	•
board of education or any combination of local boards of education	is acquiring
property for any purpose set forth in G.S. 115C-517, or when a condemner	r is acquiring
property by condemnation as authorized by G.S. 40A-3(c)(8), (9), (10)	or (12), (10),
(12), or (13), or when a State-owned railroad company as defined in G.	.S. 124-11 is
acquiring property as authorized in G.S. 40A-3(a)(5), title to the property	and the right
to immediate possession shall vest pursuant to this subsection. Unless a	an action for

injunctive relief has been initiated, title to the property specified in the complaint,

together with the right to immediate possession thereof, shall vest in the condemner

upon the filing of the complaint and the making of the deposit in accordance with G.S.

 40A-41."

SECTION 2. This act is effective when it becomes law.