

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 244
HOUSE BILL 270

AN ACT TO AMEND THE LAWS RELATING TO COSTS IN CIVIL ACTIONS.

Whereas, during the Second Session of the 1975 General Assembly, G.S. 7A-305 was amended to increase the costs in civil actions; and

Whereas, the amendment was to be effective July 1, 1976; and

Whereas, subsequent to the enactment of the above legislation, the Administrative Office of the Courts construed the above statute to apply not only to all cases instituted in the General Court of Justice on or after July 1, 1976, but also to apply to all civil actions instituted prior to July 1, 1976, but dismissed after July 1, 1976; and

Whereas, such an application was clearly not the intent of the General Assembly; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 980 of the 1975 (Second Session 1976) Session Laws is hereby amended to read as follows:

"Sec. 4. This act shall become effective on July 1, 1976. However, it shall apply only to civil actions instituted on or after July 1, 1976, and shall not apply to civil actions initiated prior to July 1, 1976, regardless of the date of termination of such actions."

Sec. 2. This act shall not be construed to require a refund of any amount previously paid.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 25th day of April, 1977.