

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1243
SENATE BILL 751

AN ACT TO PROVIDE CONTEMPT POWERS FOR THE INDUSTRIAL COMMISSION
AND TO AMEND THE NOTICE OF ACTION PROVISION IN THE EMINENT
DOMAIN LAW.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-79(b) is amended by adding after "conduct hearings," the following: "hold persons, firms or corporations in contempt as provided in Chapter 5A of the General Statutes."

Sec. 2. The second sentence of G.S. 97-80(a) is amended by adding after "administered oaths," the following: "hold persons, firms or corporations in contempt as provided in Chapter 5A of the General Statutes,".

Sec. 3. G.S. 40A-40 is rewritten to read:

"Not less than 30 days prior to the filing of a complaint under the provisions of G.S. 40A-41, a public condemnor listed in G.S. 40A-3(b) or (c) shall provide notice to each owner (whose name and address can be ascertained by reasonable diligence) of its intent to institute an action to condemn property. (The notice shall be sent to each owner by certified mail, return receipt requested. The providing of notice shall be complete upon deposit of the notice enclosed in a postpaid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service. Notice by publication is not required. Notice to an owner whose name and/or address cannot be ascertained by reasonable diligence is not required in any manner.)

The notice shall contain a general description of the property to be taken and of the amount estimated by the condemnor to be just compensation for the property to be condemned. The notice shall also state the purpose for which the property is being condemned and the date condemnor intends to file the complaint."

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of June, 1982.