

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 888
SENATE BILL 569

AN ACT TO PROVIDE THAT THE RIGHT TO FILE OR CLAIM CERTAIN
STATUTORY LIENS ON REAL PROPERTY MAY NOT BE WAIVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 44A-12 is hereby amended by adding a new subsection "f" to read as follows:

"(f) Waiver of right to file or claim liens as consideration for contract against public policy.—An agreement to waive the right to file or claim a lien granted under this Article, which agreement is in anticipation of and in consideration for the awarding of any contract, either expressed or implied, for the making of an improvement upon real property under this Article is against public policy and is unenforceable. This section does not prohibit subordination or release of a lien granted under this Article."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 20th day of July, 1983.