

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 563
Second Edition Engrossed 5/14/91

Short Title: Action Under Civil Rights Act.

(Public)

Sponsors: Representatives Cunningham; Barnes, Barnhill, Fitch, Hackney, Hardaway, Hensley, Judy Hunt, H. Hunter, Jordan, Kennedy, McLaughlin, Michaux, Ramsey, and Wainwright..

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS
2 COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL
3 RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES.
4

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 99D-1 is amended by adding a new subsection to read:

7 "(b1) The North Carolina Human Relations Commission may bring a civil action
8 on behalf of any person subjected to a violation of this Chapter. In any such action, the
9 court may award compensatory damages, punitive damages, and court costs to the
10 prevailing party. The court may also restrain and enjoin such future acts.

11 In an action brought by the Commission, damages shall be awarded to the person on
12 whose behalf the action was brought. Court costs, if awarded, shall be awarded to the
13 Commission. The Commission may not be awarded attorneys' fees. Notwithstanding
14 the provisions of G.S. 114-2, the Commission shall be represented by the Commission's
15 staff attorney."

16 Sec. 2. G.S. 143B-391 reads as rewritten:

17 "**§ 143B-391. North Carolina Human Relations Commission – creation; powers**
18 **and duties.**

19 There is hereby created the North Carolina Human Relations Commission of the
20 Department of Administration. The North Carolina Human Relations Commission shall
21 have the following functions and duties:

- 1 (1) To study problems concerning human relations;
- 2 (2) To promote equality of opportunity for all citizens;
- 3 (3) To promote understanding, respect, and goodwill among all citizens;
- 4 (4) To provide channels of communication among the races;
- 5 (5) To encourage the employment of qualified people without regard to
- 6 race;
- 7 (6) To encourage youths to become better trained and qualified for
- 8 employment;
- 9 (7) To receive on behalf of the Department of Administration and to
- 10 recommend expenditure of gifts and grants from public and private
- 11 donors;
- 12 (8) To enlist the cooperation and assistance of all State and local
- 13 government officials in the attainment of the objectives of the
- 14 Commission;
- 15 (9) To assist local good neighborhood councils and biracial human
- 16 relations committees in promoting activities related to the functions of
- 17 the Commission enumerated above;
- 18 (10) To advise the Secretary of Administration upon any matter the
- 19 Secretary may refer to it; ~~and~~
- 20 (11) To administer the provisions of the State Fair Housing Act as outlined
- 21 in Chapter 41A of the General ~~Statutes.~~ Statutes;
- 22 (12) To administer the provisions of Chapter 99D of the General Statutes;
- 23 and
- 24 (13) To adopt rules to implement and interpret the provisions of Chapter
- 25 99D of the General Statutes."
- 26 Sec. 3. This act is effective upon ratification.