

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

2

HOUSE BILL 220  
Corrected Copy 2/24/95

Short Title: Outdoor Advert./Just Compensation.

(Public)

---

Sponsors: Representatives G. Wilson, J. Brown, Fitch; Aldridge, Allred, Arnold, Baker, Berry, Black, Brawley, Buchanan, Cansler, Carpenter, Cocklereece, Crawford, Creech, Culp, Cummings, Davis, Dickson, Dockham, Edwards, Ellis, Esposito, Gardner, Grady, Gray, Hayes, Hiatt, Holmes, Howard, H. Hunter, Ives, Justus, Kiser, Linney, McComas, McCombs, McMahan, Miner, Mitchell, Nichols, Nye, Owens, Pate, Preston, Pulley, Reynolds, Robinson, Rogers, Russell, Sexton, Sharpe, Sherrill, Shubert, Thompson, Warner, Watson, Weatherly, C. Wilson, and Wood.

---

Referred to: Business and Labor, if favorable, Judiciary II.

---

February 20, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT REQUIRING JUST COMPENSATION FOR TAKING OF OUTDOOR  
3 ADVERTISING.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 11 of Chapter 136 of the General Statutes is amended by  
6 adding a new section to read:

7 **"§ 136-131.2. Rights of property owners.**

8 (a) No municipality, county government, or other political subdivision of the State  
9 shall alter, remove, or cause to be altered or removed, any lawfully established outdoor  
10 advertising, as defined in G.S. 136-128(3), without the payment of just compensation.

11 Just compensation shall be cash or other legal tender, but shall not include allowing  
12 the continuation of outdoor advertising over a specified period of time.

1        The use of amortization for whatever period by a city, county, or other political  
2 subdivision of the State shall not constitute just compensation.

3        (b) This section shall not apply to a municipality, city, or other political  
4 subdivision of the State where any of the following has occurred:

5            (1) The continuation or amortization period or any variance period has  
6 expired.

7            (2) The continuation or amortization period would have expired had it not  
8 been tolled by litigation.

9            (3) The continuation or amortization period would have expired had it not  
10 been extended by a consent judgment between the parties in a court of  
11 law."

12        Sec. 2. This act is effective upon ratification.