

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 1317  
Committee Substitute Favorable 4/24/01

Short Title: Restrictive Covenants - Child Care.

(Public)

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Sponsors:

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Referred to:

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April 12, 2001

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT CERTAIN RESTRICTIVE COVENANTS DO NOT  
3 APPLY TO LICENSED FAMILY CHILD CARE HOMES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 7 of Chapter 110 of the General Statutes is amended by  
6 adding a new section to read:

7 "**§ 110-109. Certain private agreements void.**

8 A family child care home is a residential use of property. Any restriction,  
9 reservation, condition, exception, or covenant in any subdivision plan, deed, or other  
10 instrument of or pertaining to the transfer, sale, lease, or use of property that would  
11 permit residential use of property but prohibit the use of that property as a licensed  
12 family child care home is, to the extent of the prohibition, void as against public policy  
13 and shall be given no legal or equitable force or effect."

14 SECTION 2. This act is effective when it becomes law.