

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE DRH70218-LD-110 (3/8)**

Short Title: 1898 Wilmington Race Riot Suit Limitation. (Public)

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Sponsors: Representative Wright.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A LIMITATION OF TWO YEARS FROM JULY 1, 2007,  
FOR CIVIL ACTIONS FOR THE DEATH, INJURY, OR PROPERTY DAMAGE  
RESULTING FROM THE NOVEMBER 10, 1898, WILMINGTON RACE RIOT,  
AS RECOMMENDED BY THE 1898 RACE RIOT STUDY COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 1-53 is amended by adding a new subdivision to read:

"§ 1-53. **Two years.**

Within two years –

...

(5) An action brought by the estate of the person injured or a living family member or direct descendant of the person injured, for damages on account of a death, personal injury, or physical damage to property resulting from the November 10, 1898, Wilmington Race Riot; the cause of action shall not accrue until July 1, 2007, and damages awarded under this subdivision are subject to all of the following requirements:

- a. Prior to awarding damages, inflation, present replacement value, and loss of use from November 10, 1898, shall be considered.
- b. After awarding damages, these damages shall be compounded at an eight percent (8%) rate of interest from November 10, 1898.
- c. After damages are compounded under sub-subdivision b. of this subdivision, this final total for damages shall be distributed to family members in accordance with the Intestate Succession Act, Chapter 29 of the General Statutes."

1                   **SECTION 2.** This act becomes effective July 1, 2007, and applies to causes  
2 of action filed on or after that date.