

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

1

SENATE BILL 886

Short Title: Debtors of Jdgmnt. Dbtrs. Summoned.

(Public)

---

Sponsors: Senator Block.

---

Referred to: Judiciary III.

---

April 17, 1989

A BILL TO BE ENTITLED

AN ACT TO PERMIT DEBTORS OF JUDGMENT DEBTORS TO RESPOND TO  
COURT SUMMONS BY VERIFIED ANSWER TO INTERROGATORY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-360 reads as rewritten:

**"§ 1-360. Debtors of judgment debtor, summoned.**

After the issuing or return of an execution against property of the judgment debtor, or of any one of several debtors in the same judgment, and upon affidavit that any person or corporation has property of said judgment debtor, or is indebted to him in an amount exceeding ten dollars (\$10.00), the court or judge may, by order, require such person or corporation, or any officer or members thereof, to appear at a specified time and place, and answer concerning the ~~same~~. same; provided, however, that an inquiry of such person or corporation concerning possession of the property of said judgment debtor, may be answered by such person or corporation, or any officers or members thereof, by verified answer to interrogatory. The court or judge may also, in its or his discretion, require notice of the proceeding to be given to any party to the action, in such manner as seems proper."

Sec. 2. This act shall become effective October 1, 1989.