

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**HOUSE BILL 1053
RATIFIED BILL**

AN ACT TO SHORTEN THE TIME PERIOD IN WHICH A CLAIMANT MAY BRING AN ACTION ON A PAYMENT BOND WHEN THE CLAIMANT HAS A DIRECT CONTRACTUAL RELATIONSHIP WITH A SUBCONTRACTOR IN CONNECTION WITH A CONSTRUCTION CONTRACT BUT NO CONTRACTUAL RELATIONSHIP WITH THE CONTRACTOR.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 44A-27(b) reads as rewritten:

"(b) Any claimant who has a direct contractual relationship with any subcontractor but has no contractual relationship, express or implied, with the contractor may bring an action on the payment bond only if he has given written notice to the contractor within ~~180-120~~ days from the date on which the claimant performed the last of the labor or furnished the last of the materials for which he claims payment, stating with substantial accuracy the amount claimed and the name of the person for whom the work was performed or to whom the material was furnished."

SECTION 2. This act becomes effective October 1, 2001, and applies to actions on payment bonds filed on or after that date.

In the General Assembly read three times and ratified this the 29th day of May, 2001.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____ .m. this _____ day of _____, 2001