

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

H

1

HOUSE BILL 1317

Short Title: Restrictive Covenants - Child Care.

(Public)

Sponsors: Representative Easterling.

Referred to: Children, Youth and Families.

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN RESTRICTIVE COVENANTS DO NOT
APPLY TO LICENSED FAMILY CHILD CARE HOMES.

The General Assembly of North Carolina enacts:

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

"§ 110-109. Certain private agreements void.

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

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