

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 898  
Committee Substitute Favorable 4/18/01  
Third Edition Engrossed 4/24/01

Short Title: State Emp. Federal Remedy Restoration Act.

(Public)

Sponsors:

Referred to:

March 29, 2001

A BILL TO BE ENTITLED

AN ACT TO ENACT THE STATE EMPLOYEE FEDERAL REMEDY  
RESTORATION ACT.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 143 of the General Statutes is amended by adding a  
new Article to read:

"Article 31D.

"State Employee Federal Remedy Restoration Act.

**"§ 143-300.35. State Employee Federal Remedy Restoration Act.**

(a) The sovereign immunity of the State is waived for the limited purpose of  
allowing State employees to maintain lawsuits and obtain and satisfy judgments against  
the State or any of its departments, institutions, or agencies under:

(1) The Fair Labor Standards Act, 29 U.S.C. § 201, et seq.

(2) The Age Discrimination in Employment Act, 29 U.S.C. § 621, et seq.

(3) The Family and Medical Leave Act, 29 U.S.C. § 2601, et seq.

(4) The Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.

(5) Any other federal statute granting rights, protections, or remedies to  
employees.

(b) The amount of damages a State employee receives under subsection (a) of  
this section shall not exceed the amounts authorized under G.S. 143-299.2 or the  
amounts authorized under the applicable federal law under this section, whichever is  
less."

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