

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 446

Short Title: Civil Pro./Punitive Damages/Change of Venue. (Public)

Sponsors: Representatives Zachary, Strickland, and Dixon (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary, if favorable, Rules, Calendar, and Operations of the House

March 26, 2019

1 A BILL TO BE ENTITLED
2 AN ACT MAKING THE COUNTY WHERE A DEFENDANT RESIDES OR DOES
3 BUSINESS THE VENUE FOR A CIVIL ACTION SEEKING PUNITIVE DAMAGES.

4 The General Assembly of North Carolina enacts:

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

7 "**§ 1-77.1. Venue when punitive damages in prayer for relief.**

8 In any action in which punitive damages are prayed for in the prayer for relief, the action
9 shall be tried in the county where the party from whom punitive damages are sought resides or
10 has its principal office; except that the action shall be tried in the county where the cause of action
11 arose if punitive damages are sought:

12 (1) From more than one party and those parties' residences or principal office or
13 offices are in more than one county; or

14 (2) By both plaintiff and defendant."

15 SECTION 2. This act becomes effective October 1, 2019, and applies to actions
16 commenced on or after that date.

