GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2021

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HOUSE BILL 184 Committee Substitute Favorable 3/9/21

relief filed on or after that date.

Referred to: March 2, 2021 A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT THE INCLUSION OF REAL PROPERTY ON A COMPREHENSIVE TRANSPORTATION PLAN IS NOT A REQUIRED DISCLOSURE OR A MATERIAL FACT FOR THE PURPOSES OF DISCLOSURE FOR REAL ESTATE TRANSACTIONS. The General Assembly of North Carolina enacts: SECTION 1. Article 9 of Chapter 39 of the General Statutes is amended by adding a new section to read: "§ 39-51. Inclusion of real property in a comprehensive transportation plan not a material fact. (a) For purposes of this section, the term "financially constrained" is as defined in 23 C.F.R. § 450.104. (b) The mere fact that real property, or any portion thereof, is included in a comprehensive transportation plan that is not financially constrained adopted pursuant to G.S. 136-66.2 or G.S. 136-212, or in accordance with 23 U.S.C. §§ 134 or 135, shall not, standing alone, be deemed material. This subsection shall apply to all of the following: (1) Offering real property for conveyance, lease, or exchange. (2) Any other real estate transaction, including those listed in G.S. 47E-1(1)-(4). A party to the conveyance, lease, exchange, or transaction, or an agent of any said party, shall not knowingly make a false statement regarding the property's inclusion on any transportation plan." SECTION 2. G.S. 47E-4 reads as rewritten: "§ 47E-4. Required disclosures. (b3) The inclusion of real property in a comprehensive transportation plan that is not financially constrained adopted pursuant to G.S. 136-66.2 or G.S. 136-212, or in accordance with 23 U.S.C. §§ 134 or 135, shall not be considered a required disclosure as provided in this section provided, however, that no person subject to this Chapter, or an agent of a person subject to this Chapter, or an agent of a person subject to this Chapter, or an agent of a person subject to this Chapter, or an agent of a person subject to this Chapter, or an agent of a person subject to this Chapter, ball knowingly make a false statement regarding any such fact. For purposes	Short Title: Support Private Property Rights.	(Public
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