

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 940

Short Title: Small Claims Am't. Increase.

(Public)

Sponsors: Representatives Ellis; Cummings and Flaherty.

Referred to: Judiciary II.

April 14, 1993

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE AMOUNT THAT MAY BE IN CONTROVERSY IN SMALL CLAIMS COURT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-210 reads as rewritten:

"§ 7A-210. Small claim action defined.

For purposes of this Article a small claim action is a civil action wherein:

- (1) The amount in controversy, computed in accordance with G.S. 7A-243, does not exceed ~~two thousand dollars (\$2,000);~~ seven thousand five hundred dollars (\$7,500); and
- (2) The only principal relief prayed is monetary, or the recovery of specific personal property, or summary ejectment, or any combination of the foregoing in properly joined claims; and
- (3) The plaintiff has requested assignment to a magistrate in the manner provided in this Article.

The seeking of the ancillary remedy of claim and delivery or an order from the clerk of superior court for the relinquishment of property subject to a lien pursuant to G.S. 44A-4(a) does not prevent an action otherwise qualifying as a small claim under this Article from so qualifying."

Sec. 2. This act becomes effective October 1, 1993, and applies to claims filed for causes of action arising on or after that date.