

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 31

Short Title: Material Fact Disclosure Clarifications. (Public)

Sponsors: Representatives Hastings, Stone, Davis, and Floyd (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary I, if favorable, Transportation

February 2, 2017

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.**

In offering real property for conveyance, rent, or lease, it shall not be deemed a material fact
that the real property, or any portion thereof, is included in a comprehensive transportation plan
adopted pursuant to G.S. 136-66.2 or G.S. 136-212, or in accordance with 23 U.S.C. §§ 134 or
135; provided, however, that a party to the conveyance, rental, or lease, or an agent of any said
party, may not knowingly make a false statement regarding any such fact."

SECTION 2. G.S. 47E-4 reads as rewritten:

"§ 47E-4. Required disclosures.

...

(b3) The adoption of a comprehensive transportation plan pursuant to G.S. 136-66.2 or
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, may knowingly make a false statement regarding any
such fact.

...."

SECTION 3. This act is effective when it becomes law and applies to real estate
contracts entered into on or after that date.

