

Civil Law and Procedure

See full summary documents for additional detail

H233 - State Auditor/Local Finance Officer Amendments. (SL 2019-19)

S.L. 2019-19 does all of the following:

- Requires non-State entities that receive State funds to post the State Auditor's hotline telephone number. This provision became effective July 1, 2019.
- Amends various statutes related to the Office of the State Auditor, as requested by the Office of the State Auditor.
- Amends the powers and duties of the finance officer appointed by a local government or public authority.
- Grants the Local Government Commission authority to establish minimum qualifications for a finance officer, require a finance officer to undergo training in certain circumstances, and require a local government or public authority to contract with outside entities due to deficiencies in complying with local government finance laws.

Except as otherwise provided herein, this act became effective June 3, 2019.

H469 - Various Family Law Changes. (SL 2019-172)

S.L. 2019-172 does the following:

- Modifies the laws pertaining to equitable distribution and pension, retirement, and deferred compensation benefits.
- Modifies the laws pertaining to parenting coordinators.
- Makes various changes to the adoption laws.

Part I of this act became effective October 1, 2019, and applies to distributions on or after that date. Part II and Part III of the act became effective October 1, 2019. Except as otherwise provided, the act became effective on July 26, 2019.

H531 - Protecting Tenants at Foreclosure Act Restored. (SL 2019-53)

S.L. 2019-53 repeals protections for tenants in foreclosed properties enacted after the 2014 sunset expiration of substantially similar protections under federal law. This act reflects the restoration by Congress in 2018 of the expired federal protections.

This act became effective October 1, 2019, and applies to petitions seeking an order for possession of property sold at foreclosure filed on or after that date.

H871 - Fair Contracts. (SL 2019-92)

S.L. 2019-92 establishes as void and against public policy certain indemnification agreements relative to engineering, architectural, landscape architectural or surveying services, effective August 1, 2019.

S199 - Child Sex Abuse/Strengthen Laws. (SL 2019-245)

S.L. 2019-245 protects children from sexual abuse and strengthens and modernizes sexual assault laws.

Parts I, II, III, V, VI, VII, and VIII of this act became effective December 1, 2019, and apply to offenses committed on or after that date. Part IV of this act became effective December 1, 2019, and applies to civil actions commenced on or after that date. The remainder of this act became effective on November 7, 2019.

S255 - State Board Construction Contract Claim. (SL 2019-39)

S.L. 2019-39 imposes deadlines for issuance of a final written decision by the Director of the Office of State Construction, effective January 1, 2020, for both of the following:

- A contractor's verified written claim for amounts due under a completed building construction or repair contract with the State, a State board or commission, a State institution, or a State agency.
- A contractor's verified written claim for amounts due under a completed building construction or repair contract with a community college board of trustees.

S332 - Civil Procedure/Limitations/Land Surveyors. (SL 2019-164)

S.L. 2019-164 provides that in a negligence action against a professional land surveyor or person acting under the surveyor's supervision and control, a cause of action for physical damage is deemed to accrue at the time of the occurrence of the physical damage giving rise to the cause of action.

The act also provides that a negligence action against a professional land surveyor or person acting under the surveyor's supervision and control must be commenced within seven years from the specific last act or omission giving rise to the cause of action.

This act became effective on July 26, 2019, and applies to actions arising on or after that date.

S394 - Changes to Estates & Trusts Statutes. (SL 2019-113)

Session Law 2019-113 makes various changes to State laws dealing with estates, trusts, and guardianships. For more detailed information about each of these changes, please see the full summary.

The act became effective July 11, 2019. For more detailed information about the applicability of each section of the act, please see the full summary.

S493 - DVPO Abuser Treatment/Time of Expiration. (SL 2019-168)

Session Law 2019-168 does the following:

- Adds procedural efficiencies when a defendant is ordered to attend an abuser treatment program.
- Clarifies that a domestic violence protective order (DVPO) expires at 11:59 pm on the last day the order is valid.
- Clarifies any subsequent court order supersedes protective orders issued under Chapter 50B.

This act became effective December 1, 2019 and applies to court orders in effect on or after that date.

S508 - Civil Procedure/Deponent Declaration. (SL 2019-147)

S.L. 2019-147 clarifies the process for the taking of depositions in civil actions. It provides that a deponent who lacks government identification necessary to be put on oath may testify upon signing a declaration that the testimony is given under penalty of perjury. It also clarifies the items required to be in a deponent's declaration and specifies that preparing a transcript under this section does not constitute the unauthorized practice of law.

The act became effective October 1, 2019, and applies to depositions taken on or after that date.

S594 - Register of Deeds Updates. (SL 2019-117)

S.L. 2019-117 does the following:

- Clarifies standards and requirements for registration of certain records with the Register of Deeds.
- Makes changes to the prohibition on filing false liens.
- Provides suggested forms for the registration of assumed business names.
- Makes various conforming changes.

The section of the act pertaining to the filing of a false lien became effective December 1, 2019. The remainder of the act became effective October 1, 2019, and applies to instruments, certificates, and amended certificates submitted on or after that date.