

March 21, 2001

**H 716. ESTATE LAW CHANGES. TO MAKE VARIOUS CHANGES IN THE LAW OF FIDUCIARIES AND DECEDENTS' ESTATES.** Amends (1) sections in GS 28A and 32 to clarify authority of personal representative to take possession of and sell real property owned by the decedent; (2) GS 28A-13.3(c) and 28A-15-1(c) to authorize the combination of judicial hearings for control of real property by the personal representative; (3) 28A-22-10 and 36A-141 to provide for the distribution of assets held in inoperative trusts; (4) GS 36A-3 to provide that a fiduciary expressly excluded from investment decisions is not liable for decisions made by those authorized to make the investment decisions; and (5) GS 32-34(a), 32A-2(14), and 32A-14.1(a) to correct inaccurate references to the Internal Revenue Code. Effective when bill becomes law and applies to actions by personal representatives on or after that date.

**Intro. by Haire.**

Ref. to Judiciary II	GS 28A, 32, 32A
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April 24, 2001

**H 716. ESTATE LAW CHANGES.** Intro. 3/21/01. House committee substitute makes the following changes to 1st edition. Adds provision to proposed GS 28A-15-2(c) to require personal representative to file notice of intent to take control of property with the clerk of superior court in the county of estate administration and any other county in which the property is located. Provides for content of notice and provides that personal representative is deemed to have taken control as of the date set forth in the notice or on filing of the notice, whichever occurs later. Adds amendment to GS 28A-22-1 to provide for distribution of assets remaining from sale of real property without a court order. Makes other technical changes.

September 25, 2002

**H 716. CASINO NIGHTS (NEW).** Intro. 3/21/01. Senate committee substitute makes the following changes to 2nd edition. Replaces original bill with one entitled "*TO AUTHORIZE NONPROFIT ORGANIZATIONS TO OPERATE 'CASINO NIGHTS'.*" Adds new GS 14-309.16 setting out the conditions under which a nonprofit organization may lawfully conduct up to two casino nights in a calendar year. Conditions include: before conducting a casino night the organization must register with the local sheriff's dep't; casino nights may be conducted only by members of the nonprofit, volunteers recruited by the nonprofit, or a person or entity retained by the nonprofit; each event must have an accounting desk and issue receipts for the purchase of chips, scrip, or play money; no cash prizes or gifts redeemable for cash prizes may be awarded; the event may not be conducted between 2:00 a.m. and noon; a person under age 18 may not participate and may be present only if accompanied by the person's parent or guardian; banking games may be conducted only after the rules are posted or printed and made available by the nonprofit; no slot machines, coin-operated devices, or video game machines may be used; no cards, dice, wheels, or other equipment may be modified or altered to create a greater advantage for the nonprofit; no credit may be extended; bingo may not be conducted; and all net proceeds must be used by the nonprofit for charitable, religious, education, civic or other nonprofit purposes. Management or operation of a casino night in violation of the section is a Class 2 misdemeanor.

Rewrites GS 14-295 to (1) extend it's prohibition to include playing at gaming tables, illegal punchboards, or slot machines and (2) create an exception for the possession or use of a gaming table during a casino night conducted under new GS 14-309.16 as well as for keeping gaming tables for the sole purpose of renting or leasing them for authorized casino nights. Also rewrites GS 18B-308 to provide that the section's prohibition against selling or consuming alcohol at certain events does not apply to authorized casino nights. Effective December 1, 2002, and applies to casino night conducted and offenses committed on or after that date.