

March 24, 2005

S 1044. UNDERTAKING TO STAY MONEY JUDGMENT. *TO REQUIRE A COURT TO DETERMINE, AFTER NOTICE AND HEARING, WHETHER THE AMOUNT OF UNDERTAKING TO STAY EXECUTION ON A MONEY JUDGMENT PENDING APPEAL IS PROPER AND REASONABLE BASED ON THE CONSIDERATION OF CERTAIN SPECIFIC RELEVANT FACTORS.* Amends GS 1-289 to provide that in determining amount of bond to stay execution of money judgment, court must give notice and hold a hearing to determine amount of bond and must set bond in an amount proper and reasonable for security of rights of adverse party considering amount of judgment, limits of applicable liability policies of the appellant judgment debtor, and aggregate net worth of judgment debtor. Applies to actions filed on or after October 1, 2006.

Intro. by Clodfelter.

Ref. to Judiciary I

GS 1