



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 203

ADOPTED

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

H203-ALM-89 [v.3]

Page 1 of 1

Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date June 19, 2012

Senator Brock

- 1 moves to amend the bill on page 4, lines 5-12, by rewriting those lines to read as follows:
- 2 "(b) In the case of a record presented for filing, if the entity receiving the filing has a
- 3 reasonable suspicion that the lien or encumbrance is false, the entity may refuse to file the lien
- 4 or encumbrance. No entity shall be liable to any person for filing or refusing to file a lien or
- 5 encumbrance under this section. If the filing of the lien or encumbrance is denied, the person
- 6 offering the lien or encumbrance for filing may apply to any judge of the district court in the
- 7 district where the entity is located for an order permitting filing. If the judge finds that the lien
- 8 or encumbrance is authorized by statute and the record presented for filing appears on its face
- 9 to contain all of the information required by the statute under which it was offered, the judge
- 10 shall order the lien or encumbrance filed, and the entity shall file the lien or encumbrance as
- 11 originally requested. The review by the judge under this subsection is a ministerial act only and
- 12 shall not be deemed a finding as to any underlying claim of the parties involved."
- 13
- 14
- 15

SIGNED
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 46-0 FAILED _____ TABLED _____
Sarah Clapp
6.19.12

