ADOPTED

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 696

AMENDMENT NO. **A1**
(to be filled in by
Principal Clerk)

H696-AST-71 [v.2]

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Amends Title [NO]   Date _____,2015
First Edition

<u>Representative Stam</u>

1   moves to amend the bill on page 1, lines 21-22, by inserting the following between those lines:
2
3   "**SECTION 1.5.** G.S. 162-16 reads as rewritten:
4   "**§ 162-16. Execute summons, order or judgment.**
5   <u>(a)</u>   Whenever the sheriff may be required to serve or execute any summons, order or
6   judgment, or to do any other act, he shall be bound to do so in like manner as upon process
7   issued to him, and shall be equally liable in all respects for neglect of duty; and if the sheriff be
8   a party, the coroner shall be bound to perform the service, as he is now bound to execute
9   process where the sheriff is a party; and this Chapter relating to sheriffs shall apply to coroners
10   when the sheriff is a party. Sheriffs and coroners may return process by mail. Their liabilities in
11   respect to the execution of process shall be as prescribed by law.
12   <u>(b)   Nothing in this section shall require a sheriff, or coroner, to execute a judgment</u>
13   <u>where the sheriff, or coroner, has knowledge that the property to be sold to satisfy the judgment</u>
14   <u>is exempt from execution under Article 16 of Chapter 1C of the General Statutes, and has been</u>
15   <u>so noted on the writ of execution.</u>
16   <u>(c)</u>   In those counties where the office of coroner has been abolished, or is vacant, and in
17   which process is required to be served or executed on the sheriff, the authority to serve or
18   execute such process shall be vested in the clerk of court; however, the clerk of court is hereby
19   empowered to designate and direct by appropriate order some person to act in his stead to serve
20   or execute the same."."

SIGNED _____
                        Amendment Sponsor

SIGNED _____
                Committee Chair if Senate Committee Amendment