

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 184

AMENDMENT NO. A3  
(to be filled in by  
Principal Clerk)

H184-ARN-52 [v.11]

Page 1 of 2

Amends Title [NO]  
Fourth Edition

Date \_\_\_\_\_, 2015

Senator McInnis

1 moves to amend the bill, as amended by Amendment 1, on page 4, lines 1-25, by rewriting  
2 those lines to read:

3

4 "(c) If a valid claim to the property is not received by the museum or archives  
5 repository within 30 days from the date the notice was mailed, or if the museum or archives  
6 repository does not have an address for the lender, the museum or archives repository shall  
7 comply with the following:

8 (1) If the property has an estimated value in excess of \$10,000, the museum  
9 or archives repository shall make a reasonable effort to locate and inform the owner, the  
10 owner's heirs or successors and publish a notice for no less than 365 consecutive days  
11 on an official Internet Web site created by the Department of Cultural Resources for  
12 such purpose.

13 (2) If the property has an estimated value that is less than or equal to  
14 \$10,000, the museum or archives repository shall make a reasonable effort to locate and  
15 inform the owner, the owner's heirs or successors and publish a notice for no less than  
16 180 consecutive days on an official Internet Web site created by the Department of  
17 Cultural Resources for such purpose.

18 (3) The notices required by subdivisions (1) and (2) of this subsection shall  
19 include all of the following:

- 20 a. The information described in subdivisions (1) through (5) of
- 21 subsection (b) of this section.
- 22 b. A digital image of the property and any documentation executed
- 23 by the parties.
- 24 c. The date that the notice was posted.
- 25 d. The date that the notice will be removed from the museum or
- 26 archives repository's official Internet Web site and a statement
- 27 that the museum or archives repository will acquire title to the
- 28 loaned property if a valid claim to the property is not received by
- 29 the museum or archives repository within 45 days of that date.";

30

31 and on page 4, line 26, by deleting the phrase "of subsections (a) through (c)";



\* H 1 8 4 - A R N - 5 2 - V - 1 1 \*

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

House Bill 184

**ADOPTED**

AMENDMENT NO. A3

(to be filled in by  
Principal Clerk)

H184-ARN-52 [v.11]

Page 2 of 2

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

and on page 4, line 33, by deleting the phrase "of subsections (a) through (c)";

and on page 5, lines 26-34, by rewriting those lines to read:

"(a) Property in the possession of a museum or archives repository that the museum or archives repository has reason to believe may be on loan and for which the museum or archives repository does not know the owner or have any reasonable means of determining the owner becomes the property of the museum or archives repository as provided in this section. If no person has claimed the property within seven years after the museum or archives repository or a predecessor or assignor of the museum or archives repository took possession of the property, then the museum or archives repository shall follow the notification process set out in G.S. 121-52(c). Pursuant to G.S. 121-52(d), if the Department receives a claim and determines that the claim is valid and that the claimant is the legal owner of the artifact, the Department shall return the artifact to the owner at the owner's expense. Otherwise, after following the notification process and consistent with G.S. 121-52(e), the museum or archives repository shall become the owner of the property, shall acquire title to the property and shall own the property free and clear from all claims of ownership."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures and vote information, is available in the Senate Principal Clerk's Office**