

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

**H.B. 31**  
**Feb 1, 2017**  
**HOUSE PRINCIPAL CLERK**

H

D

HOUSE BILL DRH10010-MQ-5 (11/30)

Short Title: Material Fact Disclosure Clarifications. (Public)

Sponsors: Representatives Hastings, Stone, Davis, and Floyd (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT THE INCLUSION OF REAL PROPERTY ON A  
COMPREHENSIVE TRANSPORTATION PLAN IS NOT A REQUIRED DISCLOSURE  
OR A MATERIAL FACT FOR THE PURPOSES OF DISCLOSURE FOR REAL ESTATE  
TRANSACTIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 9 of Chapter 39 of the General Statutes is amended by adding a  
new section to read:

**"§ 39-51. Inclusion of real property in a comprehensive transportation plan not a material  
fact.**

In offering real property for conveyance, rent, or lease, it shall not be deemed a material fact  
that the real property, or any portion thereof, is included in a comprehensive transportation plan  
adopted pursuant to G.S. 136-66.2 or G.S. 136-212, or in accordance with 23 U.S.C. §§ 134 or  
135; provided, however, that a party to the conveyance, rental, or lease, or an agent of any said  
party, may not knowingly make a false statement regarding any such fact."

**SECTION 2.** G.S. 47E-4 reads as rewritten:

**"§ 47E-4. Required disclosures.**

...

(b3) The adoption of a comprehensive transportation plan pursuant to G.S. 136-66.2 or  
136-212, or in accordance with 23 U.S.C. §§ 134 or 135, shall not be considered a required  
disclosure as provided in this section; provided, however, that no person subject to this Chapter, or  
an agent of a person subject to this Chapter, may knowingly make a false statement regarding any  
such fact.

...."

**SECTION 3.** This act is effective when it becomes law and applies to real estate  
contracts entered into on or after that date.

