

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 595

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

S595-AMU-20 [v.2]

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Amends Title [NO]
Third Edition

Date _____, 2020

Representative STEVENS

1 moves to amend the bill on page 9, lines 36-37, by inserting between the lines the following:

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"SECTION 3.1. If Senate Bill 729, 2019 Regular Session, becomes law, G.S. 41-56(c), as amended by Section 13 of that act and Section 1 of this act, reads as rewritten:

"(c) When an individual owns an undivided interest in real property as a tenant in common with some individual or individuals other than his or her spouse and there occurs an actual partition of the property, a tenancy by the entirety may be created in the individual who owned the undivided interest and his or her spouse as follows:

- (1) In a division by cross-deed or deeds between or among the tenants in common if the instrument contains both of the following:
 - a. The intent of the tenant in common to create a tenancy by the entirety with his or her spouse in this exchange of deeds is clearly stated in the granting clause of the deed or deeds to the tenant in common and his or her spouse.
 - b. The deed or deeds to the tenant in common and his or her spouse ~~must be-is~~ signed by the tenant in common and ~~must be-is~~ acknowledged before a certifying officer in accordance with G.S. 52-10.
- (2) In a judicial proceeding for actual partition ~~the~~ where both spouses have the right to become parties to the proceeding and to have their pleadings state that the intent of the tenant in common is to create a tenancy by the entirety with his or her spouse. The order of partition must provide that the real property apportioned to the tenant in common and his or her spouse shall be owned by them as tenants by the entirety.""



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SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**