

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

**H.B. 702**  
**Apr 18, 2023**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH30269-MW-88

Short Title: DOT Takings Notice to Any Potential Claimant. (Public)

Sponsors: Representative Winslow.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE TRANSPORTATION LAWS OF THE STATE TO REQUIRE THE  
3 DEPARTMENT OF TRANSPORTATION TO SERVE NOTICE OF TAKING TO ANY  
4 POTENTIAL CLAIMANT, INCLUDING A TENANT OR LEASEHOLDER.  
5 The General Assembly of North Carolina enacts:  
6 SECTION 1. G.S. 136-103(d) reads as rewritten:  
7 "(d) The filing of said complaint and said declaration of taking shall be accompanied by  
8 the deposit of the sum of money estimated by said Department of Transportation to be just  
9 compensation for said taking and upon the filing of said complaint and said declaration of taking  
10 and deposit of said sum, summons shall be issued and together with a copy of said complaint and  
11 said declaration of taking and notice of the deposit be served upon ~~the person named therein~~ any  
12 owner, lienholder, tenant, leaseholder, and any person who reasonably appears to be a potential  
13 claimant in the manner now provided for the service of process in civil actions. The Department  
14 of Transportation may amend the complaint and declaration of taking and may increase the  
15 amount of its deposit with the court at any time while the proceeding is pending, and the owner  
16 shall have the same rights of withdrawal of this additional amount as set forth in G.S. 136-105  
17 of this Chapter."  
18 SECTION 2. This act is effective when it becomes law and applies to condemnation  
19 actions filed on or after that date.

