

Civil Law and Procedure

See full summary documents for additional detail

Modifications to Notary Public Act.

SL 2023-57 (S552)

S.L. 2023-57 does the following:

- Extends the authority for emergency video notarizations and emergency video witnessing to June 30, 2024.
- Delays the effective date for authority for remote electronic notarizations until July 1, 2024.
- Authorizes a registered electronic notary public to also perform remote electronic notarial acts.
- Makes additional conforming changes to the Electronic Notary Public Act, Article 2 of Chapter 10B of the General Statutes.

This act has various effective dates. Please see the full summary for more details.

Amend Rule 4/Acceptance of Service - Part I.

SL 2023-97 (S91)

Part I of S.L. 2023-97 authorizes an optional means by which service of civil summons may be completed.

This part became effective December 1, 2023, and applies to actions commenced on or after that date.

Fairness in Women's Sports Act.

SL 2023-109 (H574)

S.L. 2023-109, as amended by section 18 of S.L. 2023-133 does the following:

- Prohibits male students from playing on middle school, high school, or collegiate athletics teams designated for females, women, or girls.
- Requires a student's sex to be recognized solely based on reproductive biology and genetics at birth for purposes of athletic participation.
- Creates a civil cause of action for students who are harmed as a result of a violation of the requirements, or who are retaliated against for reporting violations.
- Creates a civil cause of action for public school units and institutions of higher education that suffer harm as a result of following the requirements.

This bill was vetoed by the Governor on July 5, 2023, and that veto was overridden by the General Assembly on August 16, 2023. This act became effective August 16, 2023, and applies beginning with the 2023-2024 school year.

Gender Transition/Minors.

SL 2023-111 (H808)

S.L. 2023-111 prohibits medical professionals from performing surgical gender transition procedures on minors and prescribing, providing, or dispensing puberty-blocking drugs or cross-sex hormones to minors, with some exceptions. Medical professionals who violate these provisions will have their licenses revoked, and minors who underwent a surgical gender transition procedure or who were prescribed or provided with puberty-blocking drugs or cross-sex hormones have a private right of action against the medical provider who performed the procedure or prescribed or provided the drugs. State funds cannot be used for surgical gender transition procedures on minors or prescribing, providing, or dispensing puberty-blocking drugs or cross-sex hormones to minors.

This act has various effective dates. Please see the full summary for more details.

Adoption Law/Notary Changes/Guardianship Rights.

SL 2023-124 (S615)

S.L. 2023-134 made the following changes:

- Section 1 of S.L. 2023-124 allows a former stepparent to adopt an adult adoptee.
- Section 2 of S.L. 2023-124 modifies the law related to the redaction of certain information from a preplacement assessment.
- Section 3 of S.L. 2023-124 expands the acknowledgment options related to agency relinquishments for adoption.

Amend Rulemaking Procedures in the Administrative Procedure Act – 2023 Appropriations Act.

SL 2023-134 (H259), Sec. 21.2

Section 21.2 of S.L. 2023-134 makes various changes to the Administrative Procedure Act.

This section became effective October 3, 2023.

Limit Tort Liability for State Employees – 2023 Appropriations Act.

SL 2023-134 (H259), Sec. 31.1

Section 31.1 of S.L. 2023-134 limits tort claims against state employees by stating that all claims must be brought under Article 31 (Tort Claims against State Departments and Agencies) of Chapter 143 (State Departments, Institutions, and Commissions) of the North Carolina General Statutes and that all claims must be filed and heard at the North Carolina Industrial Commission (IC).

This section became effective October 3, 2023, and applies to all claims filed on or after that date.

Surveyors Right of Entry/Expedite Commercial and Multifamily Building Projects.

SL 2023-142 (S677)

S.L. 2023-142:

- Gives licensed professional land surveyors and their agents, employees, or personnel under their supervision, a limited right to enter into the lands of others if necessary to perform surveys and after making a reasonable effort to notify adjoining landowners upon whose land entry is necessary.
- Expedites plan review processes and authorizes the use of limited at-risk construction permitting options for certain commercial and multifamily building projects.

The section of the act pertaining to professional land surveyor right-of-entry becomes effective July 1, 2024, and applies to acts on or after that date. The section of the act pertaining to commercial and multifamily building permits becomes effective July 1, 2024, and applies to permit applications submitted on or after that date.

Breaking or Entering Into or Breaking Out of Railroad Cars, Motor Vehicles, Trailers, Aircraft, Boats, or Other Watercraft; Aggregation of Financial Crimes; Hearsay Exceptions; Availability of Declarant Immaterial – Various Changes to Criminal and Civil Laws.

SL 2023-151 (S409), Sec. 1-3

Section 1 of S.L. 2023-151 modifies the criminal law for breaking and entering a vehicle of any kind to increase the punishment depending on the value of the property taken from the vehicle and provides concurrent jurisdiction to the court of each county where each incident occurred. This section became effective December 1, 2023, and applies to offenses committed on or after that date.

Section 2 of S.L. 2023-151 permits the aggregation of multiple convictions of financial crimes for sentencing and provides concurrent jurisdiction to the court of each county where one of the

financial crimes occurred. This section becomes effective March 1, 2024, and applies to offenses committed on or after that date.

Section 3 of S.L. 2023-151 expands the business records exception to the rule against hearsay by allowing a custodian or witness to certify under penalty of perjury that a document was kept in the regular course of business. This section becomes effective March 1, 2024.