

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE DRH70102-RW-4 (02/02)

Short Title: Nuisance Abatement Changes.

(Public)

Sponsors: Representatives Bordsen and Ingle (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CHANGE THE NUISANCE ABATEMENT LAWS.  
3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 19-1(a) reads as rewritten:

5 "(a) The erection, establishment, continuance, maintenance, use, ownership or leasing of  
6 any building or place ~~for the purpose wherein or whereon occur repeated acts~~ of assignation,  
7 prostitution, gambling, illegal possession or sale of alcoholic beverages, illegal possession or  
8 sale of controlled substances as defined in the North Carolina Controlled Substances Act, or  
9 illegal possession or sale of obscene or lewd matter, as defined in this Chapter, shall constitute  
10 a nuisance."

11 SECTION 2. G.S. 19-1.1 is amended by adding a new subdivision to read:

12 "(8a) The term 'repeated acts,' as used in this Chapter, means more than one  
13 occurrence of assignation, prostitution, gambling, illegal possession or sale  
14 of alcoholic beverages, illegal possession or sale of controlled substances as  
15 defined in the North Carolina Controlled Substances Act, or illegal  
16 possession or sale of obscene or lewd matter, as defined in this Chapter, at  
17 any building or place during a one year period."

18 SECTION 2. G.S. 19-1.2(6) reads as rewritten:

19 "(6) Every place ~~which, as a regular course of business, is used for the purposes~~  
20 wherein or whereon repeated acts of lewdness, assignation, gambling, the  
21 illegal possession or sale of alcoholic beverages, the illegal possession or  
22 sale of controlled substances as defined in the North Carolina Controlled  
23 Substances Act, or prostitution, and every such place in or upon which acts  
24 of lewdness, assignation, gambling, the illegal possession or sale of  
25 alcoholic beverages, the illegal possession or sale of controlled substances as  
26 defined in the North Carolina Controlled Substances Act, or prostitution, are  
27 held or occur."

28 SECTION 3. This act becomes effective August 1, 2011, and applies to offenses  
29 committed or nuisances occurring on or after that date.

