

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 960  
Committee Substitute Favorable 5/5/09**

Short Title: Sanitary District Quick Take.

(Public)

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Sponsors:

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Referred to:

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April 1, 2009

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW SANITARY DISTRICTS THE SAME POWER AS ALL OTHER  
2 UNITS OF LOCAL GOVERNMENT IN ACQUIRING PROPERTY BY  
3 CONDEMNATION FOR WATER SUPPLY AND DISTRIBUTION SYSTEMS.  
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 40A-42(a)(1) reads as rewritten:

7 "(1) Standard Provision. – When a local public condemnor is acquiring property by  
8 condemnation for a purpose set out in G.S. 40A-3(b)(1), (4) or (7), or when a city is acquiring  
9 property for a purpose set out in G.S. 160A-311(1), (2), (3), (4), (6), or (7), or when a county is  
10 acquiring property for a purpose set out in G.S. 153A-274(1), (2) or (3), or when a local board  
11 of education or any combination of local boards of education is acquiring property for any  
12 purpose set forth in G.S. 115C-517, or when a condemnor is acquiring property by  
13 condemnation as authorized by ~~G.S. 40A-3(e)(8)~~, ~~G.S. 40A-3(c)(1), (8), (9), (10), (12), or (13)~~  
14 title to the property and the right to immediate possession shall vest pursuant to this subsection.  
15 Unless an action for injunctive relief has been initiated, title to the property specified in the  
16 complaint, together with the right to immediate possession thereof, shall vest in the condemnor  
17 upon the filing of the complaint and the making of the deposit in accordance with  
18 G.S. 40A-41."

19 **SECTION 2.** This act is effective when it becomes law.

