

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 433

Short Title: Nuisance Abatement Changes. (Public)

Sponsors: Representatives Bordsen, Ingle, Faircloth, and McGuirt (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary Subcommittee B.

March 24, 2011

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.

