

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 648

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S648-ACN-16 [v.2]

Page 1 of 2

Amends Title [NO]
Second Edition

Date _____, 2025

Senator Daniel

moves to amend the bill on page 17, lines 25–26, by inserting the following between the lines:

"MODIFY LAW GOVERNING LITIGATION COSTS UNDER G.S. 42-46

SECTION 11.8.(a) G.S. 42-46(i) reads as rewritten:

"(i) Out-of-Pocket Expenses and Litigation Costs. – In addition to the late fees referenced in subsections (a) and (b) of this section and the administrative fees of a landlord referenced in subsections (e) through (g) of this section, a landlord also is permitted to charge and recover from a tenant the following actual out-of-pocket expenses:

...
(3) ~~If the landlord is the prevailing party, reasonable~~ Reasonable attorneys' fees actually paid or owed, pursuant to a written lease, not to exceed fifteen percent (15%) of the amount owed by the tenant, or fifteen percent (15%) of the monthly rent stated in the lease if the eviction is based on a default other than the nonpayment of rent. ~~In cases where a tenant appeals a summary ejectment to district court, a landlord is entitled to an award of all actual reasonable attorneys' fees paid or owed if a court determines that the tenant knew, or should have known, the appeal was frivolous, unreasonable, without foundation, or in bad faith or solely for the purpose of delay~~

(4) In cases where a tenant appeals a summary ejectment to district court, if the landlord is the prevailing party, a landlord is entitled to an award of all actual reasonable attorneys' fees paid or owed if a court determines that the tenant knew, or should have known, the appeal was frivolous, unreasonable, without foundation, or in bad faith or solely for the purpose of delay."

SECTION 11.8.(b) This section is effective retroactively to September 9, 2024."



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Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
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