

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 630  
Committee Substitute Favorable 3/30/09

Short Title: Summary Ejectment/Trials.

(Public)

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Sponsors:

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Referred to:

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March 18, 2009

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT THE TRIAL IN A SUMMARY EJECTMENT PROCEEDING  
MAY COMMENCE NOT SOONER THAN TWO DAYS AFTER SERVICE OF THE  
COMPLAINT AND SUMMONS ON THE DEFENDANT.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 3 of Chapter 42 of the General Statutes is amended by adding  
a new section to read as follows:

**"§ 42-30.1. Time within which trial is set.**

If the time set for trial in the summons is less than two days after service has been made on  
the defendant as provided in G.S. 42-29, excluding weekends and legal holidays, the magistrate  
shall order the trial to be continued to provide at least two days, excluding weekends and legal  
holidays, from the date of service to the date of trial."

**SECTION 2.** This act becomes effective October 1, 2009.

