

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

FILED SENATE
Feb 13, 2013
S.B. 84
PRINCIPAL CLERK

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SENATE DRS15050-MD-40 (02/06)

Short Title: Cancel Aircraft Lien W/Surety Bond Deposit. (Public)

Sponsors: Senator Clodfelter (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE CANCELLATION OF AN AIRCRAFT LABOR AND
3 STORAGE LIEN WHEN A SURETY BOND IN AN AMOUNT EQUAL TO ONE AND
4 ONE-FOURTH TIMES THE AMOUNT OF THE LIEN CLAIMED IS DEPOSITED
5 WITH THE CLERK OF COURT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 44A-75 reads as rewritten:

8 "**§ 44A-75. Termination of a lien on an aircraft.**

9 (a) Termination by Payment of Amount Owed. – Any lien under this Article shall be
10 terminated upon receipt by the lienor of the full amount owed for the labor, skill, or materials
11 on the aircraft, and for storage of the aircraft, which amount shall not be limited to any amount
12 shown on the notice of lien filed under G.S. 44A-60, if a notice of lien has been filed by the
13 lienor. Upon receipt of the amount owed, the lienor or the lienor's agent shall release the
14 aircraft to the owner, if the aircraft is in the possession of the lienor, and shall, within 20 days
15 following a request in writing by the aircraft owner, file with the clerk of court a notice of
16 satisfaction of lien, if a notice of lien has been filed by the lienor. A notice of satisfaction of
17 lien shall state that the amount owed for the lienor's expenditure of labor, skill, or materials on
18 the aircraft, and for the storage of the aircraft, has been paid and the lien against the aircraft has
19 been terminated. The notice of satisfaction of lien shall be sworn to or affirmed, and subscribed
20 by the lienor or by someone on the lienor's behalf having personal knowledge of the facts.
21 Upon the filing of a notice of satisfaction of lien, the clerk of court shall make an entry of
22 acknowledgment of satisfaction in the index.

23 (b) Termination by Deposit of Surety Bond. – Any lien under this Article shall be
24 terminated by the clerk of court whenever a surety bond in a sum equal to one and one-fourth
25 times the amount of the lien claimed against the aircraft and conditioned upon the payment of
26 the amount finally determined to be due in satisfaction of the lien is deposited with the clerk of
27 court. When a deposit that satisfies this subsection is made, the lienor or the lienor's agent shall
28 release the aircraft to the owner, if the aircraft is in the possession of the lienor."

29 **SECTION 2.** This act is effective when it becomes law and applies to liens
30 perfected under this Article on or after that date.

