

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 563

Short Title: Action Under Civil Rights Act.

(Public)

Sponsors: Representatives Cunningham; Barnes, Barnhill, Fitch, Hackney, Hardaway, Hensley, Judy Hunt, H. Hunter, Jordan, Kennedy, McLaughlin, Michaux, Ramsey, and Wainwright..

Referred to: Judiciary III.

April 1, 1991

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE NORTH CAROLINA HUMAN RELATIONS COMMISSION TO BRING AN ACTION FOR AN INTERFERENCE OF CIVIL RIGHTS UNDER CHAPTER 99D OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 99D-1 is amended by adding a new subsection to read:

"(b1) The North Carolina Human Relations Commission may bring a civil action on behalf of any person subjected to a violation of this Chapter. In any such action, the court may award compensatory damages, punitive damages, and court costs. The court may also restrain and enjoin such future acts by any party. The Commission may not be awarded attorneys' fees. Damages shall be awarded to the person on whose behalf the action was brought. Notwithstanding the provisions of G.S. 114-2, the Commission shall be represented by an attorney employed by the Commission."

Sec. 2. G.S. 143B-391 reads as rewritten:

"§ 143B-391. North Carolina Human Relations Commission – creation; powers and duties.

There is hereby created the North Carolina Human Relations Commission of the Department of Administration. The North Carolina Human Relations Commission shall have the following functions and duties:

- (1) To study problems concerning human relations;
- (2) To promote equality of opportunity for all citizens;
- (3) To promote understanding, respect, and goodwill among all citizens;

- 1 (4) To provide channels of communication among the races;
2 (5) To encourage the employment of qualified people without regard to
3 race;
4 (6) To encourage youths to become better trained and qualified for
5 employment;
6 (7) To receive on behalf of the Department of Administration and to
7 recommend expenditure of gifts and grants from public and private
8 donors;
9 (8) To enlist the cooperation and assistance of all State and local
10 government officials in the attainment of the objectives of the
11 Commission;
12 (9) To assist local good neighborhood councils and biracial human
13 relations committees in promoting activities related to the functions of
14 the Commission enumerated above;
15 (10) To advise the Secretary of Administration upon any matter the
16 Secretary may refer to it; ~~and~~
17 (11) To administer the provisions of the State Fair Housing Act as outlined
18 in Chapter 41A of the General ~~Statutes~~ Statutes;
19 (12) To administer the provisions of Chapter 99D of the General Statutes;
20 and
21 (13) To adopt rules to implement and interpret the provisions of Chapter
22 99D of the General Statutes."
23 Sec. 3. This act is effective upon ratification.