

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 1143  
Judiciary II Committee Substitute Adopted 5/31/05

Short Title: Protect Building Inspectors.

(Public)

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Sponsors:

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Referred to:

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March 24, 2005

A BILL TO BE ENTITLED

AN ACT TO RESTORE PROTECTION TO MUNICIPALITIES AND COUNTIES  
AND BUILDING INSPECTORS EMPLOYED BY MUNICIPALITIES AND  
COUNTIES WHEN PERFORMING ACTIVITIES RELATED TO BUILDING  
INSPECTIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Part 5 of Article 19 of Chapter 160A of the General Statutes is amended by adding the following new section:

**"§ 160A-439. Immunity for building inspections.**

No municipality or any officer or employee of a municipality charged with performing activities related to building inspections under this Part or other provision of general law shall be held to answer in any civil action or proceeding for acts or omissions in performing or failing to perform building inspection activities in a particular instance unless the acts or omissions were material to the value of the structure and demonstrated by clear and convincing evidence. This section shall not apply to actions arising out of the operation of a motor vehicle."

**SECTION 2.** Part 4 of Article 18 of Chapter 153A of the General Statutes is amended by adding the following new section:

**"§ 153A-375.1. Immunity for building inspections.**

No county or any officer or employee of the county charged with performing activities related to building inspections under this Part or other provision of general law shall be held to answer in any civil action or proceeding for acts or omissions in performing or failing to perform the activities in a particular instance unless such acts or omissions were material to the value of the structure and demonstrated by clear and convincing evidence. This section shall not apply to actions arising out of the operation of a motor vehicle."

**SECTION 3.** This act is effective when it becomes law.