

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 913
Committee Substitute Favorable 4/29/25

Short Title: Liability/Unfair/Deceptive Develop. Actions.

(Public)

Sponsors:

Referred to:

April 14, 2025

A BILL TO BE ENTITLED
AN ACT TO HOLD LOCAL GOVERNMENTS ACCOUNTABLE FOR DEVELOPMENT
DECISIONS.

The General Assembly of North Carolina enacts:

SECTION 1. Article 14 of Chapter 160D of the General Statutes is amended by
adding a new section to read:

"§ 160D-1425. Damages, attorneys' fees, and costs.

(a) The court may allow the person with standing to recover reasonable attorneys' fees
attributed to an action brought pursuant to this Article.

(b) The court shall allow the person with standing to recover reasonable attorneys' fees
attributed to the action in any action brought pursuant to this Article in which any of the following
occurs:

(1) The person with standing successfully shows the local government
intentionally acted in violation of this Chapter.

(2) The person with standing successfully shows the local government
intentionally delayed action on a development approval to cause the person to
seek action under this Article.

(3) The person with standing successfully shows the local government acted in a
flagrantly unfair or deceptive manner with respect to the development
approval with intent to cause the person with standing to initiate an action
under this Article.

(c) Upon a finding by the court that subdivision (3) of subsection (b) of this section
applies, the court shall award punitive damages in addition to any reasonable attorneys' fees
attributed to the action in an amount as determined by the court, up to 10 times the damages. For
purposes of this subsection, damages shall mean loss of revenue, increases in costs due to the
delays caused by the local government's actions, and any other damages proven by the prevailing
party.

(d) The court shall not award attorneys' fees against the local government under this
section if the court finds that the local government acted in reasonable reliance on any of the
following:

(1) A judgment or an order of a court applicable to a local government in the same
or similar circumstances.

(2) The published opinion of an appellate court, an order of the North Carolina
Business Court, or a final order of the Trial Division of the General Court of
Justice.

(3) A written opinion, decision, or letter of the Attorney General."



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1 **SECTION 2.** This act becomes effective October 1, 2025, and applies to causes of
2 action arising on or after that date.