



2019-2020 General Assembly

SENATE BILL 704: COVID-19 Recovery Act, Sec. 4.26: Authorize the Chief Administrative Law Judge to Extend the Time Period for the Filing of Contested Cases During Catastrophic Conditions

Committee:		Date:	November 6, 2020
Introduced by:		Prepared by:	Tawanda F. Artis
Analysis of:	Sec. 4.26 of S.L. 2020-3		Staff Attorney

OVERVIEW: Section 4.26 of S.L. 2020-3 authorizes the chief administrative law judge by order to extend the time period for the filing of contested cases during catastrophic conditions when the Chief Justice of the North Carolina Supreme Court determines and declares that catastrophic conditions exist or have existed in one or more counties of the State and issues an order pursuant to G.S. 7A 39(b). The extension must be to a date certain no fewer than 10 days after the effective date of the order, the time or period of limitation, whether established by another statute or this section, for the filing of a petition for a contested case. The order must be in writing and must become effective for each affected county upon the date set forth in the order, and if no date is set forth in the order, then upon the date the order is signed by the chief administrative law judge. The order shall provide that it expires upon the expiration of the Chief Justice's order.

This section became effective retroactively to March 10, 2020.

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Legislative Analysis
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