



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 1400

AMENDMENT NO. 1
(to be filled in by
Principal Clerk)

S1400-ATG-25 [v.1]

Page 1 of 1

Comm. Sub. [NO]
Amends Title [NO]
Second Edition


Date 7-8, 2010

Senator Davis

1 moves to amend the bill on page 1, lines 8-15, by rewriting those lines to read:
2

3 "(a) Power of Sale Barred. – A mortgagee, trustee, or other creditor shall not exercise a
4 power of sale contained in a mortgage or deed of trust, or provided by statute, during, or within
5 nine months after, a mortgagor's, trustor's, or debtor's period of military service. The clerk of
6 court shall not conduct a hearing pursuant to G.S. 45-21.16(d) unless the mortgagee, trustee or
7 other creditor seeking to exercise a power of sale under a mortgage or deed of trust, or provided
8 by statute, files with the clerk a certification that the hearing will take place at a time that is not
9 during, or within nine months after, a period of military service for the mortgagor, trustor or
10 debtor. This subsection applies only to mortgages and deeds of trust that originated before the
11 mortgagor's or trustor's period of military service."
12

13 and on page 1, line 27, by deleting "10 U.S.C. § 502(f)" and substituting "32 U.S.C. § 502(f)".
14
15

SIGNED 
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED 47-0 FAILED _____ TABLED _____

7-8-10
8

ADOPTED



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