

Claims Committees ^[1]

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by Joseph Ferrell, 2006

Claims committees were part of both houses of the [General Assembly](#) ^[2] until 1949. North Carolina inherited its fundamental legal system from Great Britain, and under the [common law](#) ^[3] of England, the sovereign was immune from lawsuits. Translated to America, this legal doctrine meant that a state could not be sued in its own courts without its consent. Thus, a citizen who suffered an injury at the hands of a state employee was dependent on the legislature for legal remedy. The claims committees considered the legitimacy of all claims for money damages asserted against the state.

The North Carolina House discontinued its claims committee after 1933 and the Senate, after 1949. The function of the claims committees was made obsolete by the [Tort Claims Act](#) ^[4] (1951), which waived the state's immunity for active negligence up to a specified maximum amount that has been increased from time to time. In the modern day, tort claims against the state are heard and decided by the [Industrial Commission](#) ^[5].

Additional Resources:

"An Act to Authorize the North Carolina Industrial Commission to Hear and Determine Tort Claims Against State Departments and Agencies." *1951 Session laws and resolutions passed by the General Assembly at the Regular Session.*

Winston-Salem, N.C.: Winston Printing Company. p.1051. <http://digital.ncdcr.gov/u/?p249901coll22,377745> ^[4]

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[Encyclopedia of North Carolina, University of North Carolina Press.](#) ^[10]

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