



CHAPTER 93A
ARTICLE 4 - TIMESHARES

N.C.G.S. § 93A-42.1.

Construction and validity of declarations adopted prior to the Timeshare Act.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 03:00 UTC	df566d59cef7abaa4e2e1dd6 - d9abd869fa5850374317f8ec - 4ed637490a04ba3c

- § 93A-42.1(a)

All provisions contained in timeshare declarations adopted and recorded at the appropriate register of deeds office prior to July 1, 1984, are severable.
- § 93A-42.1(b)

The rule against perpetuities may not be applied to defeat any provision of timeshare declarations or bylaws adopted and recorded at the appropriate register of deeds office prior to July 1, 1984.
- § 93A-42.1(c)

Except as otherwise provided in the timeshare declaration, the board of directors of a timeshare project may, by an affirmative vote of two-thirds of the board, amend a provision within the timeshare declaration, provided that the provision to be changed meets all of the following criteria:

(1)

The provision was adopted as part of the original timeshare declaration recorded prior to July 1, 1984.

(2)

The provision either converts or provides a mechanism to convert ownership of timeshare units to tenancy in common.
- § 93A-42.1(d)

Title or interest in a timeshare project or unit is not rendered unmarketable or otherwise affected by reason of an insubstantial failure of the timeshare declaration to comply with this section. Whether a substantial failure to comply with this section impairs marketability shall be determined by the laws of this State relating to marketability.

§ 93A-42.1(e)

This section shall not otherwise impair the ability of the individual timeshare owner's right under the timeshare declaration, bylaws, or the laws of this State to vote to terminate the timeshare project or to amend the declaration to provide for the termination of the timeshare project and interests. (2014-99, s. 1; 2021-163, s. 1(c); 2021-192, s. 5(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 93A-42.1 (2026).

PINPOINT

N.C. Gen. Stat. § 93A-42.1(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

The text of the section is unaltered. Subsection designators have been moved from the run of text into the margin. The amendment history and the table of authorities are derived from the section by mechanical extraction — they add no characterization of the law.

This is not the official text. The official text is published by the General Assembly of North Carolina.

SET IN SPECTRAL AND ARCHIVO
NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

