

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1455
Committee Substitute Favorable 6/12/92

Short Title: Real Estate Appraisers Priv. Lic.

(Public)

Sponsors:

Referred to:

June 2, 1992

A BILL TO BE ENTITLED

AN ACT TO REQUIRE REAL ESTATE APPRAISERS TO OBTAIN PRIVILEGE
LICENSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-41(a) reads as rewritten:

"(a) Every practicing attorney-at-law, practicing physician, ~~veterinary,~~
~~veterinarian,~~ surgeon, osteopath, chiropractor, chiropodist, dentist, oculist, optician,
~~optometrist, any or optometrist;~~ every person practicing any professional art of healing
for a fee or ~~reward, reward;~~ every practicing professional engineer as defined in Chapter
89C of the General ~~Statutes, Statutes;~~ every practicing land surveyor as defined in
Chapter 89C of the General ~~Statutes, Statutes;~~ every architect and landscape ~~architect,~~
~~architect;~~ every photographer, canvasser for any photographer, or agent of a
photographer in transmitting pictures or photographs to be copied, ~~enlarged or colored~~
~~(including all persons enumerated in this section employed by the State, county, municipality, a~~
~~corporation, firm or individual), enlarged, or colored;~~ and every person, whether acting as
an individual, as a member of a partnership, or as an officer ~~and/or or~~ agent of a
corporation, who is engaged in the business of selling or offering ~~for sale, to sell real~~
~~estate, buying or offering to buy, buy real estate,~~ negotiating the purchase, sale, or
exchange of real estate, ~~or who is engaged in the business of leasing or offering to lease,~~
~~lease real estate, renting or offering to rent, or of rent real estate,~~ collecting any rents as
agent for another for compensation, ~~or who is engaged in the business of soliciting and/or~~
~~or negotiating loans on real estate as agent for another for a commission, brokerage~~
~~and/or brokerage, or~~ other compensation, or appraising real estate shall apply for and

1 obtain from the Secretary of Revenue a statewide license for the privilege of engaging in
2 such business or profession, or the doing of the act named, the profession, business, or act
3 and shall pay for such license fifty dollars (\$50.00); Provided, that no professional man or
4 woman shall be a tax of fifty dollars (\$50.00) for the license. No professional individual
5 is required to pay a privilege tax after he or she the individual has arrived at the age of
6 75 years. Further provided, that it shall be unlawful for a nonresident of this State to engage in
7 the real estate business in this State, as defined in this section, unless the State of residence of
8 such person will permit a resident of this State to engage in such business. Any person who
9 shall engage in the real estate business in this State in violation of the terms of this provision
10 shall be guilty of a misdemeanor and shall be punished in the discretion of the court; and
11 further provided, that the obtaining of a real estate dealer's license by such person shall not
12 authorize such nonresident to engage in the real estate business in this State, and provided
13 further that in all prosecutions under this section, a certificate under the hand and seal of the
14 Secretary of Revenue that the accused filed no income tax returns with his department for the
15 preceding taxable year shall be prima facie evidence that the accused is a nonresident and that
16 his license is void. years. A person who is engaged in the business of both selling or
17 offering to sell real estate and appraising real estate is required to obtain only one
18 license under this section to cover both activities."

19 Sec. 2. This act becomes effective July 1, 1992.