

Commercial Law and Consumer Protection

See full summary documents for additional detail

H86 - Virtual Currency Changes. (SL 2018-23)

S.L. 2018-23 makes changes to the Money Transmitters Act.

This act became effective June 22, 2018.

H573 - Business/Regulatory Changes. (SL 2018-65)

S.L. 2018-65 does the following:

- Authorizes cities to petition the superior court for appointment of a receiver to rehabilitate, demolish, or sell a vacant building when the owner has failed to take corrective action or when an owner voluntarily requests receivership.
- Requires the Building Code Council to provide an exemption from energy efficiency codes for residential garages.
- Amends an authorization for cities to hold a malt beverage or unfortified wine election if certain conditions are met.
- Directs the Environmental Management Commission to adopt rules to amend the Well Standard Rules.
- Directs the Environmental Management Commission to modify a rule that requires construction and demolition debris (C&D) landfills to install and maintain a groundwater monitoring program.
- Directs the Alcoholic Beverage Control Commission to revise an advertising rule.

The portion of the act pertaining to vacant building receiverships becomes effective October 1, 2018, and applies to nuisances per se that occur on or after that date or actions that have not been complied with as of that date. The provision of the act pertaining to an exemption from energy efficiency codes for residential garages becomes effective October 1, 2018. The remainder of the act became effective June 25, 2018.

S99 - Appropriations Act of 2018.

Sec. 15.1: Major Manufacturing and Technology Headquarters Incentives and JDIG Changes. (SL 2018-5)

Section 15.1 of the Appropriations Act of 2018, S.L. 2018-5, modifies the Job Development Investment Grant Program (JDIG) in a number of ways, including by increasing the annual commitment authority, imposing geographical limitations on annual JDIG commitments to promote more even distribution of awards throughout the State, strengthening provisions related to recruiting transformative projects, and making other administrative and general changes. Notable changes include:

- Increasing the annual JDIG cap from \$20 million to \$35 million in years in which a high-yield project (HYP) is not awarded and from \$35 million to \$45 million in years in which a HYP is awarded.

- Restricting the \$35 million annual JDIG cap by prohibiting more than \$20 million from being used for projects located in counties with a total employment of 500,000 and reserving \$5 million for projects located in counties with an annual ranking in the highest 50% of the remaining counties.
- Reducing the required minimum metrics for transformative projects (TPs) and adjusting the basis and duration of the award paid to the business.
- Increasing the Utility Account diversion for TPs and HYPs in years in which an enhanced percentage is paid.

This section has various effective dates, but essentially applies to grants awarded, applications received, and agreements executed on or after June 12, 2018.

S99 - Appropriations Act of 2018.

Sec. 15.2: Eliminate Adjustment Factors to Development Tier Areas. (SL 2018-5)

Sec. 15.2 of S.L. 2018-5, eliminates the adjustment factors that the Department of Commerce applied to change county's tier designation for various programs including the Job Development Investment Grant Program (JDIG). The new methodology for ranking counties applies to economic development awards occurring on or after January 1, 2019.

S622 - Business Corporation Act Revisions. (SL 2018-45)

S.L. 2018-45 amends the Business Corporation Act, as recommended by the Business Corporations Committee of the Business Law Section of the North Carolina Bar Association, to incorporate provisions based on revisions to the Model Corporation Act and to corporation law of other selected jurisdictions.

The act becomes effective on October 1, 2018.

BILL ANALYSIS: