

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 162
HOUSE BILL 413

AN ACT TO EXEMPT THE OFFER AND SALE OF LIMITED PARTNERSHIP INTERESTS IN PARTNERSHIPS ORGANIZED FOR THE SOLE PURPOSE OF OWNING AND OPERATING LOW AND MODERATE INCOME RENTAL HOUSING PROJECTS FROM THE REGISTRATION REQUIREMENTS OF THE NORTH CAROLINA SECURITIES ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 78A-17 is hereby amended by changing the period (.) at the end of subdivision (14) to a semicolon (;) and by adding after subdivision (14), as amended, a new subdivision (15) to read as follows:

"(15) Any offer or sale of limited partnership interests in a partnership organized under the North Carolina Uniform Limited Partnership Act for the sole purpose of constructing, owning and operating a low and moderate income rental housing project located in North Carolina if the total amount of the offering and the total number of limited partners, both within and without this State for each such partnership, does not exceed five hundred thousand dollars (\$500,000) and 100 respectively. This exemption shall be allowed without limitation as to (i) the number, either in total or within any time period, of separate partnerships which may be formed by the same general partner or partners, sponsors or individuals in which partnership interests are offered; (ii) the period over which such offerings can be made; (iii) the amount of each limited partner's investment; or (iv) the period over which such investment is payable to the partnership. For purposes of this subdivision (15), the term 'low and moderate income rental housing project' means:

- a. any housing project with respect to which a mortgage is insured or guaranteed under Section 221(d)(3) or 221(d)(4) or 236 of the National Housing Act, or any housing project financed or assisted by direct loan, mortgage insurance or guaranty, or tax abatement under similar provisions of federal, State or local laws, whether now existing or hereafter enacted; or
- b. any housing project, some or all of the units of which are available for occupancy by families or individuals eligible to receive subsidies under Section 8 of the United States Housing Act of 1937, as amended, or under the provisions of other federal, State or local law authorizing similar levels of subsidy for lower income families, whether now existing or hereafter enacted; or
- c. any housing project with respect to which a loan is made, insured or guaranteed under Title V, Section 515, of the Housing Act of 1949, or under similar provisions of other federal, State or local laws, whether now existing or hereafter enacted."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 7th day of April, 1977.