

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 789
HOUSE BILL 948

AN ACT TO CLARIFY THE RETAIL INSTALLMENT SALES ACT REGARDING SECURITY INTERESTS IN PROPERTY SOLD UNDER REVOLVING CHARGE ACCOUNT CONTRACTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 25A-23 is hereby amended by adding the following new subdivision:

"(d) The provisions of G.S. 24-11(a), limiting the taking of a security interest in property under an open end credit or similar plan, shall not apply to revolving charge account contracts regulated by this Chapter; provided, however, the application of payments rule set out in G.S. 25A-27 shall apply to such contracts; provided further, that in any action initiated by the seller for the possession of such property, a judgment for the possession thereof shall be restricted to commercial units (as defined in G.S. 25-2-105(6)) for which the cash price was one hundred dollars (\$100.00) or more."

Sec. 2. This act is intended to clarify existing law and shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of June, 1977.