

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 395
HOUSE BILL 1008

AN ACT TO PERMIT AGRICULTURAL COMMODITY ASSOCIATIONS TO
RECOVER AUDIT COSTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-564.1 is amended by adding the following new paragraph after the first paragraph thereof.

"For the purposes of this Article the Commissioner may designate the duly certified agency of the producers as his agent to conduct inspections or audits of the books of the purchaser of such agricultural products. If it is discovered, as the result of such inspection or audit, that such purchaser has willfully failed to remit assessments when due, then such purchaser shall be liable to the duly certified producers agency for the reasonable costs of such inspection or audit. Such costs may be recovered by the agency by an action against the purchaser in a court of competent jurisdiction. The agency shall also be entitled to recover from such purchaser a penalty of five percent (5%) of the amount due for each month it remains unpaid, not to exceed twenty percent (20%) of the total amount due."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1983.