

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 721
HOUSE BILL 1319

AN ACT TO MAKE CERTAIN CHANGES TO VARIOUS CONSUMER PROTECTION STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 75-15.2 is amended by deleting the words "specifically prohibited by a court order or" from the first sentence and inserting two new sentences after the first sentence to read:

"In any action brought by the Attorney General pursuant to this Chapter in which it is shown that an action or practice when committed was specifically prohibited by a court order, the Court may, in its discretion, impose a civil penalty of up to five thousand dollars (\$5,000) for each violation. Civil penalties may be imposed in a new action or by motion in an earlier action, whether or not such earlier action has been concluded."

Sec. 2. G.S. 14-291.2(c) is amended by deleting the words "a civil penalty against any defendant found to have engaged in the willful promotion of such a scheme with knowledge that such conduct violated this section, in an amount not to exceed two thousand dollars (\$2,000) which shall be for the benefit of the General Fund of the State of North Carolina as reimbursement for the expenses incurred in the institution and prosecution of such action" and substituting "civil penalties and attorneys' fees to the Attorney General or the District Attorney pursuant to G.S. 75-15.2 and G.S. 75-16.1".

Sec. 3. G.S. 75-33(b) is amended by deleting the words "telephone, or" and substituting the words "telephone, and".

Sec. 4. G.S. 66-99(b)(3) is amended by deleting the reference "G.S. 66-95(b)" and substituting the reference "G.S. 66-97(b)".

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of July, 1983.