

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1688

Short Title: Remove Expense Reserve Ceil'g/Real Est. Comm. (Public)

Sponsors: Senator Rand.

Referred to: Commerce.

May 18, 2006

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE NORTH CAROLINA REAL ESTATE
2 COMMISSION TO REMOVE THE TEN PERCENT CEILING ON ITS EXPENSE
3 RESERVE FUND UNDER THE REAL ESTATE LICENSING LAWS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 93A-3(b) reads as rewritten:

7 "(b) The provisions of G.S. 93B-5 notwithstanding, members of the Commission
8 shall receive as compensation for each day spent on work for the Commission a per
9 diem in an amount established by the Commission by rule, and mileage reimbursement
10 for transportation by privately owned automobile at the business standard mileage rate
11 set by the Internal Revenue Service per mile of travel along with actual cost of tolls
12 paid. The total expense of the administration of this Chapter shall not exceed the total
13 income therefrom; and none of the expenses of said Commission or the compensation or
14 expenses of any office thereof or any employee shall ever be paid or payable out of the
15 treasury of the State of North Carolina; and neither the Commission nor any officer or
16 employee thereof shall have any power or authority to make or incur any expense, debt
17 or other financial obligation binding upon the State of North Carolina. After all
18 expenses of operation, the Commission may set aside an expense reserve each year ~~not~~
19 ~~to exceed ten percent (10%) of the previous year's gross income; then any surplus shall~~
20 ~~go to the general fund of the State of North Carolina in the amount of the entire balance~~
21 remaining from the gross income of the previous year. Nothing shall revert to the
22 General Fund of the State of North Carolina. The Commission may deposit moneys in
23 accounts, certificates of deposit, or time deposits as the Commission may approve, in
24 any bank, savings and loan association, or trust company. Moneys also may be invested
25 in the same classes of securities referenced in G.S. 159-30(c)."
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SECTION 2. This act is effective when it becomes law.