

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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SENATE BILL 402

Short Title: Amend Commercial Real Estate Definition. (Public)

Sponsors: Senators Gunn (Primary Sponsor); and Rabon.

Referred to: Rules and Operations of the Senate.

March 25, 2015

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DEFINITION OF COMMERCIAL REAL ESTATE
CONTAINED IN THE COMMERCIAL REAL ESTATE BROKER LIEN ACT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 44A-24.2 reads as rewritten:

"§ 44A-24.2. **Definitions.**

The following definitions apply in this Part:

...

(3) Commercial real estate. – Any real property or interest therein, whether freehold or nonfreehold, which at the time the property or interest is made the subject of an agreement for broker services:

a. Is lawfully used primarily for sales, office, research, institutional, warehouse, manufacturing, industrial, or mining purposes or for multifamily and/or residential purposes involving five or more dwelling units;

b. May lawfully be used for any of the purposes listed in sub-subdivision (3)a. of this section by a zoning ordinance adopted pursuant to the provisions of Article 18 of Chapter 153A or Article 19 of Chapter 160A of the General Statutes or which is the subject of an official application or petition to amend the applicable zoning ordinance to permit any of the uses listed in sub-subdivision (3)a. of this section which is under consideration by the government agency with authority to approve the amendment; or

c. Is in good faith intended to be immediately used for any of the purposes listed in sub-subdivision (3)a. of this section by the parties to any contract, lease, option, or offer to make any contract, lease, or option.

...."

SECTION 2. This act is effective when it becomes law.

