

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 789

Judiciary I Committee Substitute Adopted 4/22/99

Short Title: Charitable Nonprofit Notice.

(Public)

Sponsors:

Referred to:

April 7, 1999

A BILL TO BE ENTITLED

AN ACT TO MAKE CERTAIN CHANGES TO THE NOTICE TO BE GIVEN UPON THE SALE, LEASE, OR EXCHANGE OF THE ASSETS OF A CHARITABLE OR RELIGIOUS NONPROFIT CORPORATION UNDER THE NONPROFIT CORPORATION ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 55A-12-02(g) reads as rewritten:

"(g) A charitable or religious corporation shall give written notice to the Attorney General ~~20-30~~ days before it sells, leases, exchanges, or otherwise disposes of all, or ~~substantially all, of a majority of,~~ its property if the transaction is not in the usual and regular course of its activities unless the Attorney General has given the corporation a written waiver of this subsection. Upon written notice by the Attorney General prior to the expiration of the initial notice period to a charitable or religious corporation giving notice under this subsection, the Attorney General may require an additional 30-day period to review the proposed transaction during which time the transaction may not be finalized. The notice to the Attorney General required by this section shall include all the information that the Attorney General determines is required to allow a complete review of the transaction."

1 Section 2. This act becomes effective October 1, 1999, and applies to notices
2 given on or after that date.