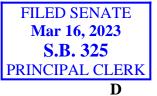
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS45156-LM-84

	Short Title:	Limit Online Marketplace Regulations. (Public)		
	Sponsors:	Senators Perry, Lazzara, and Moffitt (Primary Sponsors).		
	Referred to:	Referred to:		
1	A BILL TO BE ENTITLED			
2	AN ACT PI	ROVIDING THAT COUNTIES AND CITIES SHALL NOT REGULATE		
3		CERTAIN ONLINE MARKETPLACES.		
4	The General Assembly of North Carolina enacts:			
5	SECTION 1. Article 23 of Chapter 153A of the General Statutes is amended by			
6		adding a new section to read:		
7	0	" <u>§ 153A-461. Online marketplace.</u>		
8		county may not do either of the following:		
9	(1)			
0		of this section.		
1	(2)	Require an online marketplace to provide personally identifiable information		
2		of users, unless pursuant to a subpoena or court order.		
3	<u>(b)</u> <u>Fo</u>	r purposes of this section, the term "online marketplace" means a person or entity		
1	that does both	of the following:		
5	<u>(1)</u>	Provides for consideration, regardless of whether the consideration is		
)		deducted as a fee from the transaction, an online application, software,		
		website, system, or other medium through which a service is advertised in this		
		State or is offered to the public as available in this State.		
	<u>(2)</u>			
		performing any of the following:		
		a. <u>Providing a payment system that facilitates a transaction between two</u>		
		platform users.		
		b. <u>Transmitting or otherwise communicating the offer or acceptance of a</u>		
		transaction between two platform users.		
		c. Owning or operating the infrastructure or technology that brings two		
		or more users together."		
		CCTION 2. Article 21 of Chapter 160A of the General Statutes is amended by		
	0	section to read:		
)		6. Online marketplace.		
)		city may not do either of the following:		
	<u>(1)</u>			
		of this section.		
	<u>(2)</u>			
		of users, unless pursuant to a subpoena or court order.		
		r purposes of this section, the term "online marketplace" means a person or entity		
	that does both	that does both of the following:		



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1	<u>(1)</u> <u>Pr</u>	ovides for consideration, regardless of whether the consideration is		
2	de	ducted as a fee from the transaction, an online application, software,		
3	we	ebsite, system, or other medium through which a service is advertised in this		
4	Sta	ate or is offered to the public as available in this State.		
5	(2) Pr	ovides, directly or indirectly, or maintains a platform for services by		
6		rforming any of the following:		
7	a.	Providing a payment system that facilitates a transaction between two		
8	_	platform users.		
9	b.	Transmitting or otherwise communicating the offer or acceptance of a		
10	—	transaction between two platform users.		
11	с.	Owning or operating the infrastructure or technology that brings two		
12	—	or more users together."		
13	SECTIO	N 3. This act is effective when it becomes law.		