

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL 423  
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Short Title: Title Fraud Prevention.

(Public)

Sponsors:

Referred to:

March 25, 2025

A BILL TO BE ENTITLED

AN ACT TO PENALIZE THE FILING OF FRAUDULENT DEEDS AND CONVEYANCES AND TO PREVENT TITLE FRAUD BY AUTHORIZING THE REGISTER OF DEEDS TO REQUIRE THE PRODUCTION OF A GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION CARD BEFORE RECORDING A DEED OR CERTAIN OTHER INSTRUMENTS; REQUIRING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF A STATEWIDE FRAUD DETECTION ALERT SYSTEM; PROVIDING FOR A SEPARATE CAUSE OF ACTION TO QUIET TITLE AFTER A FRAUDULENT CONVEYANCE; REQUIRING SOURCE OF TITLE TO BE REFLECTED ON DEED OR OTHER TITLE CONVEYANCE; AND REQUIRING TAX OFFICE CERTIFICATION OF LISTED OWNER AND DELINQUENT TAX STATUS ON COUNTY TAX RECORDS AND REAL ESTATE BROKER DISCIPLINE.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 14-122 reads as rewritten:

"§ 14-122. **Forgery of deeds, wills and certain other ~~instruments.~~instruments; presentation for filing.**

(a) If any person, of ~~his~~that person's own head and imagination, or by false conspiracy or fraud with others, shall wittingly and falsely forge and make, or shall cause or wittingly assent to the forging or making of, or shall show forth in evidence, knowing the same to be forged, any deed, lease or will, or any bond, writing obligatory, bill of exchange, promissory note, endorsement or assignment thereof; or any acquittance or receipt for money or goods; or any receipt or release for any bond, note, bill or any other security for the payment of money; or any order for the payment of money or delivery of goods, with intent, in any of said instances, to defraud any person or corporation, and thereof shall be duly convicted, the person so offending ~~shall be punished as a Class H felon.~~is guilty of a Class H felony.

(b) If any person presents a deed or other transfer of real property of an owner for filing or recording in a public record or a private record generally available to the public, knowing or having reason to know that the deed or conveyance is false or contains a materially false, fictitious, or fraudulent statement or representation, the person so offending is guilty of a Class H felony."

**SECTION 1.(b)** G.S. 14-117.8 reads as rewritten:

"§ 14-117.8. **Fraudulently renting, leasing, or advertising for sale of residential real property.**



1 (a) Offense Involving Fraudulent Rental or Lease. – It is unlawful to rent or lease  
2 residential real property to another person knowing that the ~~renter-renter, tenant, lessee, landlord,~~  
3 or lessor has no lawful ownership in the property or leasehold interest in the property.

4 (b) Offense Involving Fraudulent Advertising. – It is unlawful to list or advertise  
5 residential real property for sale knowing that the purported seller has no legal title or authority  
6 to sell the property.

7 (c) Punishment. – Unless the conduct is covered under some other provision of law  
8 providing greater punishment, a person who violates this section shall be punished as follows:

9 (1) A person who violates subsection (a) of this section is guilty of a Class H  
10 felony.

11 (2) A person who violates subsection (b) of this section is guilty of a Class I  
12 felony.

13 (d) In addition to any criminal penalties provided in this section, knowingly ~~renting or~~  
14 ~~leasing-renting, leasing, listing, or advertising~~ residential real property to another person knowing  
15 that the ~~renter or lessor-renter, tenant, lessee, lessor, landlord, or the person soliciting the listing~~  
16 ~~or advertisement~~ has no lawful ownership or leasehold interest in the property shall constitute a  
17 violation of G.S. 75-1.1. In a civil suit initiated by a person who alleges that a person's violation  
18 of this section constitutes a violation of G.S. 75-1.1, the presiding judge may allow a reasonable  
19 attorneys' fee in accordance with G.S. 75-16.1 to the attorney representing the person bringing  
20 the suit without finding that there was an unwarranted refusal by the party charged with the  
21 violation to fully resolve the matter which constitutes the basis of the suit."

22 **SECTION 1.(c)** G.S. 14-209 reads as rewritten:

23 **"§ 14-209. Punishment for perjury.**

24 If any person knowingly and intentionally makes a false statement under oath or affirmation  
25 in any ~~suit, controversy, matter or cause, or in any unsworn declaration deemed sufficient~~  
26 ~~pursuant to G.S. 7A-98 depending in any of the courts of the State; in any deposition or affidavit~~  
27 ~~taken pursuant to law; in any oath or affirmation duly administered of or concerning any matter~~  
28 ~~or thing where such person is lawfully required to be sworn or affirmed, of the following, that~~  
29 person is guilty of perjury, and punished as a Class F ~~felon-felon:~~

30 (1) A suit, controversy, matter or cause, or unsworn declaration deemed sufficient  
31 pursuant to G.S. 7A-98 pending in any of the courts of the State.

32 (2) A deposition or affidavit taken pursuant to law.

33 (3) An oath or affirmation duly administered of or concerning any matter or thing  
34 where the person is lawfully required to be sworn or affirmed.

35 (4) An instrument as defined in G.S. 161-32 and presented to a register of deeds  
36 for registration."

37 **SECTION 1.(d)** This section becomes effective December 1, 2025, and applies to  
38 offenses committed on or after that date.

39 **SECTION 2.(a)** Article 2 of Chapter 161 of the General Statutes is amended by  
40 adding a new section to read:

41 **"§ 161-32. Identity verification and suspicious instruments.**

42 (a) Definitions. – The following definitions apply in this section:

43 (1) Government-issued photographic identification card. – The term  
44 "government-issued photographic identification card" means one of the  
45 following documents that is unexpired and includes the individual's  
46 photograph, name, and address:

47 a. A United States passport.

48 b. A United States military identification card.

49 c. A tribal identification card issued by a tribe recognized by the federal  
50 government or the State of North Carolina.

51 d. A North Carolina drivers license or non-operator identification card.

- 1 e. A North Carolina voter identification card.  
2 f. A drivers license issued by another state.  
3 (2) Instrument. – The term "instrument" shall include any of the following:  
4 a. A transfer of title to real property by deed or other instrument  
5 transferring title to real property.  
6 b. A deed of trust, mortgage, judgment, lien, encumbrance, financing  
7 statement, affidavit, notice, memorandum, or any other instrument that  
8 establishes a security interest in real property.  
9 c. A contract, right of refusal, lease, affidavit, memorandum, or any other  
10 instrument that purports to establish an interest, option, encumbrance,  
11 right, or any other claim relating to or interest in real property.  
12 (3) Suspicious instrument. – An instrument submitted for registration for which  
13 the register of deeds has found any of the following:  
14 a. The instrument purports not to be subject to the laws of the United  
15 States or the laws of this State.  
16 b. The instrument does not conform to registration requirements  
17 established by the laws of this State.  
18 c. The instrument is submitted by an individual who is not a trusted  
19 submitter and the identity verification requirements of this section are  
20 not met.  
21 (4) Trusted submitter. – Includes all of the following:  
22 a. A title insurance company as described in Article 26 of Chapter 28 of  
23 the General Statutes.  
24 b. An attorney licensed to practice in this State.  
25 c. A financial institution as defined in G.S. 53B-2.  
26 (b) Identity Verification. – Notwithstanding any other provision to the contrary in this  
27 Chapter, when an instrument is presented to the register of deeds for registration by an individual  
28 who is not a trusted submitter, the register of deeds shall require the person presenting the  
29 instrument to produce identity verification as follows:  
30 (1) If an individual who is not a trusted submitter presents an instrument to the  
31 register of deeds for registration in person, the register of deeds shall require  
32 that individual to produce a government-issued photographic identification  
33 card for inspection by the register of deeds before registering the instrument.  
34 The register of deeds must record the name, address, identification card  
35 number, and expiration date as the information appears on the identification  
36 card, in a record to be kept by the register of deeds, along with the official  
37 records book and page number or instrument number of the instrument  
38 registered in connection with the production of the identification card.  
39 (2) If an individual who is not a trusted submitter presents an instrument to the  
40 register of deeds by U.S. mail, overnight delivery, or other paid third-party  
41 delivery service, the register of deeds shall require that individual to submit a  
42 photocopy of the individual's government-issued photographic identification  
43 card before registering the instrument. The register of deeds must note on the  
44 photocopy of the identification card the official records book and page number  
45 or instrument number assigned to the instrument registered in connection to  
46 the submission of the photocopy of the identification card and retain the  
47 photocopy of the identification card in a record to be kept by the register of  
48 deeds. However, an individual who submits a photocopy of that individual's  
49 government-issued photographic identification card under this subsection  
50 may redact from the photocopy of that identification card before submission  
51 all of the information the individual does not wish to be made public, except

- 1                   for the individual's name, address, photograph, identification card number,  
2                   and expiration date.
- 3           (3)       If an individual who is not a trusted submitter presents an instrument in the  
4                   form of an electronic document, as defined in G.S. 47-16.3(2), to the register  
5                   of deeds, as provided by Article 1A of Chapter 47 of the General Statutes, the  
6                   register of deeds shall require the individual to submit a photocopy of that  
7                   individual's government-issued photographic identification card before  
8                   registering the instrument. The register of deeds must note on the photocopy  
9                   of the identification card the official records book and page number or  
10                   instrument number assigned to the instrument registered in connection to the  
11                   submission of the photocopy of the identification card and retain the  
12                   photocopy of the identification card in a record to be kept by the register of  
13                   deeds. However, an individual who submits a photocopy of the individual's  
14                   government-issued photographic identification card under this subsection  
15                   may redact from the photocopy of that identification card before submission  
16                   all of the information the individual does not wish to be made public, except  
17                   for the individual's name, address, photograph, identification card number,  
18                   and expiration date.
- 19           (4)       If the instrument is presented by an entity that is not a trusted submitter, the  
20                   register of deeds shall require production of the following, as applicable:
- 21                   a.       A corporation must produce a certificate of good standing and a  
22                   secretary's certificate signed by an authorized officer of the  
23                   corporation.
- 24                   b.       A trust must produce a certification of trust.
- 25                   c.       An estate must produce letters testamentary or letters of  
26                   administration.
- 27                   d.       A limited liability company must produce a resolution signed by its  
28                   members.
- 29                   e.       An unincorporated nonprofit association must present a sworn  
30                   statement attesting to the authority of the person presenting the  
31                   instrument to act on behalf of the association.
- 32           (5)       Records required to be kept by the register of deeds pursuant to this subsection  
33                   are confidential and not public records pursuant to G.S. 132-1 or any other  
34                   applicable statute and shall not be disclosed other than pursuant to a court  
35                   order entered by a district or superior court judge in the State or in response  
36                   to a written request from a State or federal law enforcement agency for  
37                   investigative or evidentiary purposes. Such written request may be in  
38                   electronic format.
- 39           (c)       Refusing to Register. – Notwithstanding any other provision to the contrary in this  
40                   Chapter, the register of deeds shall refuse to register an instrument if one of the following occurs:
- 41                   (1)       The register of deeds deems the instrument presented for registration a  
42                   suspicious instrument as defined in this section.
- 43                   (2)       The individual presenting the instrument for registration is not a trusted  
44                   submitter as defined in this section, and the name on the government-issued  
45                   photographic identification card presented by the individual pursuant to  
46                   subsection (b) of this section does not match the name of the grantor or  
47                   conveying party in the instrument presented for registration.
- 48           (d)       Additional Actions for Suspicious Instruments. – Upon finding that an instrument  
49                   presented for registration is a suspicious instrument as defined in this section, the register of  
50                   deeds may report the suspicious instrument to an appropriate law enforcement agency.

1       (e) Notice of Requirements. – The register of deeds shall provide notice of the identity  
2 verification requirement described in subsection (b) of this section on the register of deeds'  
3 official public website.

4       (f) Legal Protections and Remedies. – There is no right or cause of action against, and  
5 no civil liability on the part of the register of deeds or the county with respect to the register of  
6 deeds' requirement of a government-issued photographic identification card, or any refusal to  
7 register an instrument as allowed by subsections (b) and (c) of this section.

8       (g) Confidentiality. – Nothing in this section shall be construed to require the register of  
9 deeds to provide or allow access to a record or other information that is considered confidential  
10 information as defined by G.S. 132-1.2."

11       **SECTION 2.(b)** This section becomes effective October 1, 2025, and applies to  
12 instruments presented for registration on or after that date.

13       **SECTION 3.(a)** The Legislative Research Commission (LRC) shall study the  
14 feasibility of creating a fraud detection alert system where everyone who submits an instrument  
15 as defined in G.S. 161-32, as enacted by this act, for registration is automatically enrolled in the  
16 fraud detection alert system without paying a fee. Before enrollment, the register of deeds would  
17 provide each individual with a notice explaining the system, including its purpose, how it works,  
18 and how to opt out of enrollment.

19       As part of its study, the LRC shall do all of the following:

- 20       (1) Evaluate the practicality of implementing a fraud detection alert system with  
21       automatic enrollment and an opt-out option, including technological and  
22       staffing requirements for registers of deeds across all counties.
- 23       (2) Examine the fiscal impact on the State, counties, and/or registers of deeds,  
24       including costs associated with developing, maintaining, and operating a fraud  
25       detection alert system without charging a fee to the participant.
- 26       (3) Evaluate how well the fraud detection alert system described in this section  
27       would prevent fraud as compared to other potential systems or measures.

28       **SECTION 3.(b)** The LRC shall report its findings, together with any proposed  
29 legislation, to the 2026 Regular Session of the 2025 General Assembly upon its convening.

30       **SECTION 4.(a)** Article 1 of Chapter 41 of the General Statutes is amended by adding  
31 a new section to read:

32 **"§ 41-10.2. Fraudulent instrument procedure.**

33       (a) As used in this section, the term "instrument" means any of the following:

- 34       (1) A transfer of title to real property by deed or other instrument transferring title  
35 to real property.
- 36       (2) A deed of trust, mortgage, judgment, lien, encumbrance, financing statement,  
37 affidavit, notice, memorandum, or any other instrument that establishes a  
38 security interest in real property.
- 39       (3) A contract, right of refusal, lease, affidavit, memorandum, or any other  
40 instrument that purports to establish an interest, option, encumbrance, right,  
41 or any other claim relating to or interest in real property.

42       (b) The district court division of the General Court of Justice shall have original  
43 jurisdiction over actions instituted under this section. If a party appeals the district court's  
44 decision, the appeal shall be to the North Carolina Court of Appeals. The notice of appeal must  
45 contain a verified explanation as to why the order entered is legally or factually incorrect.

46       (b1) The actual owner of an interest in real property may file a civil action in the district  
47 court located in the county in which the property is located by filing a verified complaint alleging  
48 the recording of a false, fictitious, or fraudulent instrument in a public record or private record  
49 generally available to the public and related to the parcel or parcels owned by the plaintiff. Relief  
50 available includes a request for ex parte relief, including entry of a temporary restraining order,  
51 entry of any other temporary or permanent orders necessary to protect the plaintiff's ownership

1 of or interest in the parcel of real property or to clear any color of title related to the parcel of  
2 land on the public record, and a request for attorneys' fees and costs. Upon the filing of an action  
3 under this section, the plaintiff shall also file a notice of lis pendens.

4 (b2) Any party served with the verified complaint may file and serve a verified responsive  
5 pleading within 10 days after service of the complaint. The parties served with a copy of the  
6 verified complaint shall not be entitled to an extension of time for filing and serving a responsive  
7 pleading, except for compelling and extraordinary reasons.

8 (b3) The verified complaint shall be served on any person purportedly having conveyed or  
9 having been conveyed an interest in the real property by the recorded instrument alleged to be  
10 false, fictitious, or fraudulent, and also upon any other persons claiming an ownership interest in  
11 the property, including lienholders of record, any person to whom a security instrument directs  
12 notice to be sent, and any person obligated to repay the indebtedness secured by the instrument.

13 (b4) Service of the summons, verified complaint, and notice of lis pendens shall be made  
14 pursuant to Rule 4 of the North Carolina Rules of Civil Procedure, except as otherwise provided  
15 for in this subsection. Subsequent service of notices or other required pleadings shall be made  
16 pursuant to Rule 5 of the North Carolina Rules of Civil Procedure. Service on any of the  
17 following parties under either Rule shall be sufficient if made to that party's address as reflected  
18 on the face of the suspicious instrument, the tax bill for the parcel, the government-issued  
19 photographic identification card provided at the time of recording, or any other address the party  
20 has provided the court:

21 (1) The party presenting the alleged false, fictitious, or fraudulent instrument for  
22 recordation.

23 (2) The party conveying any interest in the real property through the alleged false,  
24 fictitious, or fraudulent instrument.

25 (3) The party receiving any interest in the real property through the alleged false,  
26 fictitious, or fraudulent instrument.

27 If personal service of the complaint and summons on any party in subdivision (1), (2), or (3)  
28 of this subsection was attempted by the sheriff but was unable to be obtained, the sheriff may  
29 serve the individual or entity by posting the paperwork on the door of the property that is subject  
30 to the alleged false, fictitious, or fraudulent instrument.

31 (b5) If an ex parte or temporary hearing is requested, upon the submission of a sworn  
32 statement and evidence supporting the allegation of the recordation of a false, fictitious, or  
33 fraudulent instrument, an ex parte or temporary order enjoining any party from selling, leasing,  
34 listing the property for sale or lease, or otherwise taking any further action impacting the title to  
35 the parcel may be entered.

36 (b6) If an ex parte hearing is requested, it must be scheduled no later than 24 hours after  
37 the complaint is filed. If a temporary hearing is requested, the temporary hearing must be  
38 scheduled within 10 days of filing the complaint. The permanent hearing must be scheduled  
39 within 30 days of filing the complaint. All hearings under this section shall have priority on the  
40 court's calendar.

41 (b7) A return hearing on an ex parte order must be scheduled within 10 days of entry of  
42 the ex parte order and the ex parte order shall remain in effect until the return hearing is held. A  
43 temporary order entered under this section shall remain in effect until the entry of a permanent  
44 order.

45 (b8) The chief district court judge may authorize a magistrate or magistrates to hear any  
46 motions for emergency relief ex parte under this section.

47 (b9) The court shall not grant a continuance of any hearing, nor shall it stay the civil  
48 proceedings pending the disposition of any related criminal proceedings, except for compelling  
49 and extraordinary reasons or on application of the district attorney for good cause shown. No  
50 continuance shall be granted for a period greater than 10 days.

1        (b10) If, after all parties have an opportunity to be heard, the court finds that there is no  
2 statutory, contractual, or other legal basis for the recording, the court shall enter a permanent  
3 order finding that the recorded instrument is false and is void as a matter of law.

4        (b11) The court may also include in any order any of the following types of relief:

5            (1) Grant to a prevailing party possession of the real property and order the  
6 ejectment of any party on the premises.

7            (2) Award to the prevailing party attorneys' fees and other costs for the action.

8            (3) Stay any proceedings involving the subject real property in which the property  
9 owner is not a party to.

10          (4) Upon a finding by the court that an action filed under this section is frivolous  
11 or malicious, assess a civil penalty of not more than ten thousand dollars  
12 (\$10,000), of which the clear proceeds assessed under this subdivision shall  
13 be remitted to the Civil Penalty and Forfeiture Fund in accordance with  
14 G.S. 115C-457.2.

15          (5) Upon a finding by the court that a party has presented for filing or recording  
16 a false, fictitious, or fraudulent instrument as described in this section more  
17 than once, enter a permanent injunction against the party requiring the  
18 individual to obtain an order from the court allowing recording of any  
19 instrument with any register of deeds' office in the State.

20          (6) Enjoin a party from listing the real property for sale, lease, or any other similar  
21 advertisement.

22          (7) Impose sanctions against the party or the party's attorney pursuant to Rule 11  
23 of the North Carolina Rules of Civil Procedure.

24          (8) Order execution of any additional instruments necessary or required to clear  
25 the title to the property pursuant to Rule 70 of the North Carolina Rules of  
26 Civil Procedure.

27          (9) Any other relief the court determines is just and proper.

28        (c) Upon being presented with a certified copy of a permanent order entered by a district  
29 court of this State declaring that a recorded instrument is false and void as a matter of law, the  
30 register of deeds that received the false recording shall record and cross-index the order and shall,  
31 in addition to recording the court's order, also conspicuously mark on the first page of the  
32 previously recorded instrument the following statement: "THE CLAIM ASSERTED IN THIS  
33 DOCUMENT IS FALSE AND IS NOT PROVIDED FOR BY THE GENERAL LAWS OF  
34 THIS STATE." An order presented for recording pursuant to this section shall be recorded and  
35 cross-indexed by the register of deeds as a subsequent instrument under G.S. 161-14.1, and no  
36 fee authorized under G.S. 161-10, or otherwise, shall be charged.

37        (d) In addition to any criminal penalties or other civil remedies provided by law, the  
38 presentation of an instrument for recording with a register of deeds that is determined to be  
39 materially false, fictitious, or fraudulent shall constitute a violation of G.S. 75-1.1.

40        (e) In addition to any other civil or criminal penalties, a person who initiates an action  
41 under this section knowing that the subject instrument is not false, fictitious, or fraudulent is  
42 guilty of a Class G felony.

43        (f) Unless otherwise provided for in this section, G.S. 1A-1, the Rules of Civil Procedure,  
44 shall apply to all actions brought pursuant to this section."

45        **SECTION 4.(b)** This section becomes effective October 1, 2025, and applies to  
46 causes of action filed on or after that date and to offenses committed on or after that date.

47        **SECTION 5.(a)** The Administrative Office of the Courts shall develop a form  
48 complaint for the fraudulent instrument procedure established by Section 4 of this act and have  
49 the forms available on its website no later than October 1, 2025. In addition to the requirements  
50 set forth in this section and Section 4 of this act, the form shall include clear language notifying

1 the filing party that providing false information or statements is perjury pursuant to G.S. 14-209  
2 and punishable as a Class F felony.

3 **SECTION 5.(b)** The Administrative Office of the Courts shall develop a form lis  
4 pendens for filing as established by Section 4 of this act and have the form available on its website  
5 no later than October 1, 2025.

6 **SECTION 6.(a)** Article 4 of Chapter 47 of the General Statutes is amended by adding  
7 a new section to read:

8 **"§ 47-108.30. No presumption of priority for certain recorded instruments.**

9 An instrument as defined in G.S. 161-32 shall not have a presumption of priority based upon  
10 the time of registration and shall not constitute constructive notice or color of title if any of the  
11 following apply:

12 (1) The instrument does not comply with the provisions of G.S. 47-18, 47-20,  
13 47-118, 47-119, 47-119.1, or 47-120, as applicable.

14 (2) The instrument does not contain a signature and acknowledgement duly  
15 acknowledged before an officer authorized to perform acknowledgements as  
16 required for recording of at least one record owner at the time the conveyance  
17 is made."

18 **SECTION 6.(b)** Article 2 of Chapter 47 of the General Statutes is amended by  
19 adding a new section to read:

20 **"§ 47-18.4. Source of title required for registration.**

21 Notwithstanding any other provision to the contrary in this Chapter, all deeds or other  
22 conveyances of title (other than by court order) presented for registration must include a source  
23 of title to the grantor. Source of title may include the prior deed transferring title to the current  
24 grantor by reference to the book and page and the name of the grantee identified in that document,  
25 a duly probated will and estate file number with the clerk of superior court, recital of the chain  
26 of inheritance in the case of intestate succession, or a court order and court file number vesting  
27 title in the grantor. If a deed or other conveyance of title (other than a court order) is submitted  
28 for registration by anyone other than a "trusted submitter" as defined in G.S. 161-32, the register  
29 of deeds shall not accept the conveyance for registration unless the identity verification  
30 requirements of G.S. 161-32 are met and one of the following applies:

31 (1) The submitter provides a certified copy of the latest county tax listing or bill  
32 reflecting the owner on the certified tax listing matches the grantor in the  
33 document presented for registration.

34 (2) The county officer who manages tax listings certifies that the grantor on the  
35 document presented for registration is consistent with the owner reflected on  
36 the tax listing for the real property.

37 (3) In the event of a material inconsistency in the grantor's identity reflected on  
38 the document presented for registration and the county tax records, the  
39 document presented for registration shall not be recorded until legal  
40 verification of the source of title of the grantor reflected on the document  
41 presented for registration has been provided by one of the following methods:

42 a. The county officer who manages tax listings determines that the  
43 grantor reflected in the document presented for registration should be  
44 included as an owner in the tax listing for the real property.

45 b. A North Carolina licensed attorney provides a title certification of the  
46 grantor listed in the document presented for registration."

47 **SECTION 6.(c)** This section becomes effective October 1, 2025, and applies to  
48 deeds or other conveyances of title, other than by court order, presented for registration on or  
49 after that date.

50 **SECTION 7.(a)** G.S. 161-31 reads as rewritten:

51 **"§ 161-31. Tax certification.**

1 (a) Tax Certification. – ~~The board of commissioners of a county may, by resolution,~~  
2 ~~require the~~ The register of deeds shall not accept any deed transferring real property for  
3 registration unless the county tax collector has certified the name of all owners of the parcel listed  
4 in the tax records and that no delinquent ad valorem county taxes, ad valorem municipal taxes,  
5 or other taxes with which the collector is charged are a lien on the property described in the deed.  
6 ~~The county commissioners may describe the form the certification must take in its resolution.~~

7 (a1) Exception to Tax Certification. – ~~If a board of county commissioners adopts a~~  
8 ~~resolution pursuant to subsection (a) of this section, notwithstanding the resolution, the~~ The  
9 register of deeds shall accept without certification a deed submitted for registration by a trusted  
10 submitter as defined in G.S. 161-32 containing this statement on the deed: "This instrument  
11 prepared by: \_\_\_\_\_, a licensed North Carolina attorney. Delinquent taxes, As closing  
12 attorney, I certify that delinquent and current taxes owed, if any, to will be paid by the closing  
13 attorney by my office to the county tax collector upon disbursement of closing proceeds."

14 (b) Applicability. – ~~This section applies only to Alamance, Alexander, Anson, Beaufort,~~  
15 ~~Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Camden, Carteret, Caswell,~~  
16 ~~Catawba, Cherokee, Chowan, Clay, Cleveland, Columbus, Currituck, Dare, Davidson, Davie,~~  
17 ~~Duplin, Durham, Edgecombe, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Greene,~~  
18 ~~Halifax, Harnett, Haywood, Henderson, Hertford, Hoke, Hyde, Iredell, Jackson, Johnston, Jones,~~  
19 ~~Lee, Lenoir, Lincoln, Macon, Madison, Martin, McDowell, Montgomery, Nash, Northampton,~~  
20 ~~Onslow, Pasquotank, Pender, Perquimans, Person, Pitt, Polk, Randolph, Robeson, Rockingham,~~  
21 ~~Rowan, Rutherford, Sampson, Scotland, Stanly, Stokes, Surry, Swain, Transylvania, Tyrrell,~~  
22 ~~Vance, Warren, Washington, Wayne, Wilson, Yadkin, and Yancey Counties."~~

23 **SECTION 7.(b)** This section becomes effective October 1, 2025, and applies to  
24 deeds or other conveyances of title, other than by court order, presented for registration on or  
25 after that date.

26 **SECTION 7.2.** Article 1 of Chapter 93A of the General Statutes is amended by  
27 adding a new section to read:

28 **"§ 93A-6.3. Disciplinary action for fraudulent deed activity; emergency suspension.**

29 (a) Any licensed real estate broker who is found to have participated in the preparation,  
30 execution, or filing of a fraudulent deed shall be deemed to have acted outside the scope of their  
31 licensure and shall be considered an unauthorized individual for the purposes of that transaction.  
32 Upon such a finding, the North Carolina Real Estate Commission shall initiate disciplinary  
33 action, including the suspension or revocation of the individual's license.

34 (b) The Commission may impose a temporary suspension of a license without a prior  
35 hearing if it determines that the available evidence demonstrates that such emergency action is  
36 required to protect the public interest, safety, or welfare. In such cases, proceedings for a formal  
37 hearing must be instituted simultaneously with the suspension, and a hearing shall be commenced  
38 within 30 days from the effective date of the suspension.

39 (c) The licensee may request a continuance of the hearing; however, the temporary  
40 suspension shall remain in effect during the period of continuance. All proceedings shall be  
41 conducted and concluded without undue delay."

42 **SECTION 8.** Except as otherwise provided, this act is effective when it becomes  
43 law.