



General Statutes Commission

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MEMORANDUM

To: Senate Rules and Operations of the Senate
From: General Statutes Commission
Re: HB 228 (Postpone Assumed Name Revisions)
Date: May 22, 2017

General Comments

This bill postpones the implementation of the revised assumed name statutes for five months.

Parts I and II of S.L. 2016-100 revised the law on assumed names in this State and made conforming amendments elsewhere in the statutes. Part I repealed the existing law on assumed names, Article 14 of Chapter 66 of the General Statutes, and enacted a new Article 14A of that Chapter as a replacement. As one of its main changes, the new Article 14A requires registers of deeds' offices to upload assumed name information to a searchable online statewide database for assumed names, so that a person can search for an assumed name in one location online rather than having to search each register of deeds' records separately. The act required the Secretary of State to develop, implement, and maintain this database.¹ Parts I and II of S.L. 2016-100 had a postponed effective date of July 1, 2017, but additional time is needed for the necessary database. This bill accordingly postpones the implementation of the new Article 14A for five months, to December 1, 2017. The Secretary of State's office was consulted in developing the new date.

Specific Comments

Section 1 postpones the date to implement the assumed name changes made by S.L. 2016-100 from July 1, 2017, to December 1, 2017. The existing Article 14 will continue to apply until December 1, 2017.

Section 2 amends G.S. 66-71.15, the section dealing with the transition from existing Article 14 of Chapter 66 to the new Article 14A of Chapter 66, to similarly postpone for five months the three dates referenced in that section.

Section 3 amends the effective date of Section 3(b) of S.L. 2016-100, which made a conforming amendment to G.S. 1-69.1, to similarly postpone that date.

Section 4 provides that the bill is effective when it becomes law.

¹ An appropriation for the purpose was included in the Reserve for Pending Legislation shown in the committee report for last year's budget bill, S.L. 2016-94, referenced in Section 39.2 of that act.