

§ 113-425. Registry of landmen required.

(a) Establishment of Registry. – The Department of Environmental Quality, in consultation with the Consumer Protection Division of the North Carolina Department of Justice, shall establish and maintain a registry of landmen operating in this State. As used in this section, "landman" means a person that, in the course and scope of the person's business, does any of the following:

- (1) Acquires or manages oil or gas interests.
- (2) Performs title or contract functions related to the exploration, exploitation, or disposition of oil or gas interests.
- (3) Negotiates for the acquisition or divestiture of oil or gas rights, including the acquisition or divestiture of land or oil or gas rights for a pipeline.
- (4) Negotiates business agreements that provide for the exploration for or development of oil or gas.

(b) Registration Required. – A person may not act, offer to act, or hold oneself out as a landman in this State unless the person is registered with the Department in accordance with this section. To apply for registration as a landman, a person shall submit an application to the Department on a form to be provided by the Department, which shall include, at a minimum, all of the following information:

- (1) The name of the applicant or, if the applicant is not an individual, the names and addresses of all principals of the applicant.
- (2) The business address, telephone number, and electronic mail address of the applicant.
- (3) The social security number of the applicant or, if the applicant is not an individual, the federal employer identification number of the applicant.
- (4) A list of all states and other jurisdictions in which the applicant holds or has held a similar registration or license.
- (5) A list of all states and other jurisdictions in which the applicant has had a similar registration or license suspended or revoked.
- (6) A statement whether any pending judgments or tax liens exist against the applicant.

(c) The Department may deny registration to an applicant, reprimand a registrant, suspend or revoke a registration, or impose a civil penalty on a registrant if the Department determines that the applicant or registrant does any of the following:

- (1) Fraudulently or deceptively obtains, or attempts to obtain, a registration.
- (2) Uses or attempts to use an expired, suspended, or revoked registration.
- (3) Falsely represents oneself as a registered landman.
- (4) Engages in any other fraud, deception, misrepresentation, or knowing omission of material facts related to oil or gas interests.
- (5) Had a similar registration or license denied, suspended, or revoked in another state or jurisdiction.
- (6) Otherwise violates this section.

(d) An applicant may challenge a denial, suspension, or revocation of a registration or a reprimand issued pursuant to subsection (c) of this section, as provided in Chapter 150B of the General Statutes.

(e) The Department shall adopt rules as necessary to implement the provisions of this section. (2012-143, s. 4(g); 2015-241, s. 14.30(u).)