

# Commercial Law and Consumer Protection

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## **H103 - 2022 Appropriations Act.**

### **Sec. 5.6: Home Appliance Service Agreement Modification. (SL 2022-74)**

Section 5.6 of S.L. 2022-74 expands the definition of a home appliance service agreement to include damage or failure arising out of a power surge and accidental damage from handling, and to exclude from this definition contracts or agreements that reimburse the home appliance service agreement holder for damage occurring during delivery or installation.

This section became effective July 11, 2022, and applies to home appliance service agreements entered into on or after that date.

## **H619 - Weston's Law. (SL 2022-56)**

S.L. 2022-56 imposes new safety requirements for elevators in private residences, cottages, and similar accommodations that are rented for 15 days or more in any calendar year, and directs the Building Code Council to adopt amendments to the North Carolina Building Code consistent with these requirements.

The elevator safety requirements become effective October 1, 2022. The Building Code Council directive became effective June 30, 2022.

## **H1018 - GSC Bar Association Proposals/Landmark Designation. (SL 2022-64)**

S.L. 2022-64 makes various changes affecting real property; strengthens the personal liability protection for limited liability partnerships; aligns the authority to transfer venue for judicial review of contested cases with other cases; makes conforming changes to account for special fiduciaries in guardianship proceedings; and clarifies and improves the landmark designation procedure, as recommended by the General Statutes Commission.

Except as otherwise provided, the act became effective July 8, 2022.

## **S766 - Organized Retail Theft. (SL 2022-30)**

S.L. 2022-30 does all of the following:

- Increases the penalties for organized retail theft.
- Provides additional penalties for damage to property or assault of a person during the commission of organized retail theft.
- Provides additional recovery to retail establishments for loss due to organized retail theft.
- Regulates high-volume third-party sellers operating on online marketplaces.

The provisions related to organized retail theft become effective December 1, 2022, and apply to offenses committed on or after that date. The online marketplace regulations become effective January 1, 2023.