

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL 124\*  
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Short Title: Modernize Assumed Business Name Statutes.

(Public)

Sponsors:

Referred to:

February 27, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODERNIZE THE LAW GOVERNING THE USE OF ASSUMED BUSINESS  
3 NAMES AND TO MAKE RELATED CONFORMING AND TECHNICAL  
4 AMENDMENTS, AS RECOMMENDED BY THE GENERAL STATUTES  
5 COMMISSION.

6 The General Assembly of North Carolina enacts:

7  
8 **PART I. ASSUMED BUSINESS NAME ACT**

9 **SECTION 1.** Article 14 of Chapter 66 of the General Statutes is repealed.

10 **SECTION 2.** Chapter 66 of the General Statutes is amended by adding a new  
11 Article to read:

12 "Article 14A.

13 "Assumed Business Name Act."

14 **"§ 66-71.1. Short title.**

15 This Article may be cited as the "Assumed Business Name Act."

16 **"§ 66-71.2. Statement of purpose.**

17 The purpose of this Article is to afford the public a means of ascertaining the real names of  
18 persons engaging in business in this State under an assumed business name by requiring those  
19 persons to register the assumed business name as provided in this Article.

20 **"§ 66-71.3. Definitions.**

21 The following definitions apply in this Article:

22 (1) Assumed business name. –

- 23 a. In the case of an individual, any name other than the real name of the  
24 individual.
- 25 b. In the case of a partnership other than a limited liability partnership  
26 or limited partnership, any name other than the real names of all the  
27 general partners of the partnership.
- 28 c. In the case of a limited liability partnership, any name other than the  
29 name registered with the Secretary of State.
- 30 d. In the case of a limited partnership, any name other than the name  
31 stated in its certificate of limited partnership filed with the Secretary  
32 of State.
- 33 e. In the case of a limited liability company, any name other than the  
34 name stated in its articles of organization filed with the Secretary of  
35 State.



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- 1           f.       In the case of a corporation, any name other than the corporate name  
2               stated in its articles of incorporation filed with the Secretary of State.  
3           g.       In the case of a trust, any name other than the name specified in the  
4               trust instrument or, if the trust instrument does not specify a name for  
5               the trust, any name other than the name of the trustee and a  
6               designation of the trust for which the trustee is acting.  
7           h.       In the case of any other person, any name other than the real name of  
8               the person.

- 9           (2)       Person. – Includes an individual, partnership, limited partnership, limited  
10               liability partnership, limited liability company, corporation, association,  
11               society, organization, joint venture, business trust, trust, governmental entity,  
12               or any other legal or commercial entity.

13       **"§ 66-71.4. Filing of certificate; exception.**

14           (a)       Before any person engages in business in this State under an assumed business  
15               name, the person must file an assumed business name certificate in the office of the register of  
16               deeds of the county in which the person is or will be engaged in business. If the person is or  
17               will be engaged in business in multiple counties, filing is required in only one of those counties.

18           (b)       A separate assumed business name certificate must be filed for each assumed  
19               business name under which a person engages in business in this State.

20       **"§ 66-71.5. Contents of certificate.**

21           An assumed business name certificate must include:

- 22           (1)       The assumed business name.  
23           (2)       The real name of the person engaging in business under the assumed  
24               business name. If the business is a partnership other than a limited liability  
25               partnership or limited partnership, the assumed business name certificate  
26               must include the real names of five general partners or of all the general  
27               partners, whichever is fewer.  
28           (3)       The type of business.  
29           (4)       The street address of the principal place of business.  
30           (5)       Each county where the person uses or will be using the assumed business  
31               name to engage in business.

32       **"§ 66-71.6. Execution of certificate.**

33           An assumed business name certificate must be executed as follows:

- 34           (1)       In the case of an individual, the certificate must be signed by the individual.  
35           (2)       In the case of a partnership or limited partnership, the certificate must be  
36               signed by a general partner.  
37           (3)       In the case of a corporation or limited liability company, the certificate must  
38               be signed in the name of the corporation or limited liability company by an  
39               individual authorized to act for the corporation or limited liability company.  
40           (4)       In the case of any other person, the certificate must be signed in the name of  
41               the person by an individual authorized to act for the person.

42       **"§ 66-71.7. Amendment of certificate.**

43           Any person that has filed an assumed business name certificate must, within 60 days after a  
44               change in any of the information required in the assumed business name certificate, file a  
45               certificate of amendment in the office of the register of deeds of the county in which the  
46               assumed business name certificate was filed. The certificate must be executed in the same  
47               manner as required under G.S. 66-71.6 for the execution of an assumed business name  
48               certificate and must set forth:

- 49           (1)       The assumed business name and the real name of the person engaging in  
50               business under the assumed business name as stated in the original, or most  
51               recently amended, assumed business name certificate.

1           (2)    The book and page number of the original filing.

2           (3)    The identification number assigned to the assumed business name by the  
3           Secretary of State (SOS ID).

4           (4)    How the assumed business name certificate is to be amended.

5    **"§ 66-71.8. Withdrawal of assumed business name.**

6           Any person filing an assumed business name certificate as required by this Article may,  
7           upon ceasing to engage in business in this State under the assumed business name, withdraw  
8           the assumed business name by filing a certificate of withdrawal in the office of the register of  
9           deeds of the county in which the assumed business name certificate was filed. The certificate  
10          must be executed in the same manner as required under G.S. 66-71.6 for the execution of an  
11          assumed business name certificate and must set forth:

12          (1)    The assumed business name being withdrawn.

13          (2)    The book and page number of the original filing.

14          (3)    The identification number assigned to the assumed business name by the  
15          Secretary of State (SOS ID).

16          (4)    The real name of the person engaging in business under the assumed  
17          business name and that person's current address.

18          (5)    A statement that the person has ceased engaging in business under the  
19          assumed business name.

20          (6)    The effective date of the withdrawal if it is not to be effective upon the filing  
21          of the certificate of withdrawal.

22    **"§ 66-71.9. Secretary of State to maintain a centralized, statewide database of assumed**  
23    **business name information.**

24          (a)    The Secretary of State shall develop, implement, and maintain a searchable online  
25          database of assumed business name information reported under G.S. 66-71.10. The system  
26          must allow information to be entered and retrieved from the system by the registers of deeds  
27          and must be available for searches by the public.

28          (b)    The Secretary of State may adopt rules to implement the statewide online database.

29    **"§ 66-71.10. Register of deeds to index certificates; transmission of data to central**  
30    **database.**

31          (a)    The register of deeds of each county must index in accordance with Article 2 of  
32          Chapter 161 of the General Statutes every assumed business name with respect to which an  
33          assumed business name certificate, a certificate of amendment, or a certificate of withdrawal  
34          has been filed in that county.

35          (b)    Not later than 30 days after the date a certificate under this Article is filed, the  
36          register of deeds must transmit a scanned image of the certificate to the Secretary of State and  
37          enter into the central database maintained by the Secretary of State under G.S. 66-71.9 the  
38          assumed business name, the real name of each person engaging in business under that name,  
39          the type of certificate, the county in which the certificate was filed, and, in the case of a  
40          certificate of amendment or certificate of withdrawal, the identification number assigned to the  
41          assumed business name by the Secretary of State (SOS ID).

42    **"§ 66-71.11. Forms.**

43          (a)    The Land Records Management Advisory Committee established under  
44          G.S. 147-54.3 may develop forms for the documents required or permitted to be filed by this  
45          Article, but their use is not mandatory.

46          (b)    Any person, including the registers of deeds, may make available the forms  
47          developed under subsection (a) of this section.

48    **"§ 66-71.12. Effect of filing certificate.**

49          (a)    An assumed business name certificate filed under this Article is effective upon filing  
50          and remains in effect until withdrawn under G.S. 66-71.8.

1        (b) Compliance with this Article does not confer any exclusive rights to the use of an  
2 assumed business name in this State.

3 **"§ 66-71.13. Copy of certificate prima facie evidence.**

4        A copy of a certificate filed under this Article, duly certified by the register of deeds of the  
5 office in which it was filed, is prima facie evidence of the facts required to be stated in the  
6 certificate.

7 **"§ 66-71.14. Consequences of signing false certificate or violating Article.**

8        (a) A person signing a certificate under this Article that the person knows is false in any  
9 material respect with intent that the certificate be delivered to the register of deeds for filing is  
10 guilty of a Class 1 misdemeanor.

11        (b) A person failing to file an assumed business name certificate or a certificate of  
12 amendment as required by this Article is liable to any person injured by the failure for the  
13 reasonable expenses, including attorneys' fees, incurred by the person in ascertaining, for a  
14 reasonable purpose, the information required to be stated in the assumed business name  
15 certificate or certificate of amendment. The expenses may be awarded in a civil action.

16 **"§ 66-71.15. Expiration of certificates filed under Article 14; transition provisions.**

17        (a) All certificates of assumed name filed under former Article 14 of this Chapter  
18 expire July 1, 2021, and the provisions of that former Article continue to apply to them until  
19 that date except as provided in this section. On or after that date, any person that (i) is listed as  
20 an owner of the business in a certificate of assumed name filed under that former Article and  
21 (ii) desires to continue engaging in business in this State under the assumed business name after  
22 that date must file an assumed business name certificate under this Article.

23        (b) At least one person listed as an owner of the business in a certificate of assumed  
24 name under former Article 14 of this Chapter must file an assumed business name certificate  
25 before the certificate of assumed name expires under subsection (a) of this section if any of the  
26 following occur:

27            (1) A general partnership would have been required to file a new certificate of  
28 assumed name under former G.S. 66-68(c) due to the withdrawal or addition  
29 of a partner.

30            (2) Any of the information in the certificate of assumed name required under  
31 former G.S. 66-68(a) has changed and the person desires to continue  
32 engaging in business in this State.

33        (c) No person shall file a new certificate of assumed name under former Article 14 of  
34 this Chapter on or after July 1, 2016. Any document or other record filed on or after that date to  
35 register an assumed business name is deemed to be filed under this Article, even if it is  
36 described as a certificate of assumed name rather than an assumed business name certificate or  
37 if it expressly refers to former Article 14 of this Chapter.

38        (d) A person that filed a certificate of assumed name that has not expired may withdraw  
39 the assumed name under the provisions of former G.S. 66-68(f). Any such withdrawal is  
40 deemed to be a withdrawal under former G.S. 66-68(f), even if it is described as a withdrawal  
41 under this Article.

42        (e) No person shall file a certificate of amendment under this Article to a certificate of  
43 assumed name filed under former Article 14 of this Chapter. If any such amendment is  
44 nevertheless filed, it is not effective as a certificate of amendment or as an assumed business  
45 name certificate under this Article.

46        (f) The register of deeds shall not transmit a scanned image to the Secretary of State, or  
47 enter any of the information required by G.S. 66-71.10 into the central database maintained by  
48 the Secretary of State, of any withdrawal or transfer of an assumed name or any amendment to  
49 a certificate of assumed name when the certificate of assumed name to which the withdrawal,  
50 transfer, or amendment relates was filed before July 1, 2016.

1 (g) Other than this section, this Article does not apply to a certificate of assumed name  
2 or a withdrawal of an assumed name under former Article 14 of this Chapter."

3  
4 **PART II. RELATED CONFORMING AND TECHNICAL AMENDMENTS TO OTHER**  
5 **SECTIONS OF THE GENERAL STATUTES**

6 **SECTION 3.(a)** G.S. 1-69.1 reads as rewritten:

7 **"§ 1-69.1. Unincorporated associations and partnerships; suit by or against.**

8 (a) Except as provided in subsection (b) of this section:

9 (1) All unincorporated associations, organizations or societies, or general or  
10 limited partnerships, foreign or domestic, whether organized for profit or  
11 not, may ~~hereafter~~ sue or be sued under the name by which they are  
12 commonly known and called, or under which they are ~~doing~~ engaging in  
13 business, to the same extent as any other legal entity established by law and  
14 without naming any of the individual members composing it.

15 (2) Any judgments and executions against any such association, organization or  
16 society shall bind its real and personal property in like manner as if it were  
17 incorporated.

18 (3) Any unincorporated association, organization, society, or general partnership  
19 bringing a suit in the name by which it is commonly known and called must  
20 ~~allege the specific location of the recordation required by G.S. 66-68, that it~~  
21 has filed a certificate of assumed name under former Article 14 of Chapter  
22 66 of the General Statutes or an assumed business name certificate under  
23 Article 14A of Chapter 66 of the General Statutes.

24 (b) Unincorporated nonprofit associations are subject to Chapter 59B of the General  
25 Statutes and not this section."

26 **SECTION 3.(b)** Effective July 1, 2021, G.S. 1-69.1(a)(3), as amended by this  
27 section, reads as rewritten:

28 "(3) Any unincorporated association, organization, society, or general partnership  
29 bringing a suit in the name by which it is commonly known and called must  
30 allege that it has filed ~~a certificate of assumed name under former Article 14~~  
31 ~~of Chapter 66 of the General Statutes or an assumed business name~~  
32 ~~certificate under Article 14A of Chapter 66 of the General Statutes."~~

33 **SECTION 4.** G.S. 53-208.7(a) reads as rewritten:

34 "(a) Each application for a license under this Article shall be made in writing, under  
35 oath, and in a form prescribed by the Commissioner. For all applicants, each application shall  
36 contain:

37 (1) The exact name of the applicant, the applicant's principal address, any  
38 assumed ~~or trade~~ business name used by the applicant in the conduct of its  
39 business, and the location of the applicant's business records.

40 "...."

41 **SECTION 5.** G.S. 55D-20(d) reads as rewritten:

42 "(d) The use of assumed business names or fictitious names, as provided for in ~~Chapter~~  
43 ~~66, Chapter 66 of the General Statutes,~~ is not affected by this Chapter or by Chapter 55, 55A,  
44 57D, or 59 of the General Statutes."

45 **SECTION 6.** G.S. 58-70-5 reads as rewritten:

46 **"§ 58-70-5. Application to Commissioner for permit.**

47 (a) Any person, firm, corporation or association desiring to secure a permit as provided  
48 by G.S. 58-70-1, shall make application to the Commissioner of Insurance for each location at  
49 which ~~such~~ the person, firm, corporation or association desires to carry on the collection agency  
50 business as ~~hereinafter defined.~~ Such defined in this Article. The applicant shall be entitled to a  
51 permit upon submission to the Commissioner of Insurance of the following:

- 1           ~~(a)~~(1) The name, trade name if any, street address, and telephone number of the  
2           applicant, including any home office address and telephone number, if  
3           ~~different;~~different.
- 4           ~~(b)~~(2) If the applicant is a corporation,  
5           ~~(1)~~a. A certified copy of the board of director's resolution authorizing the  
6           submission of the application;  
7           ~~(2)~~b. An authenticated copy of the Articles of Incorporation and all  
8           amendments thereto;  
9           ~~(3)~~c. An authenticated copy of the bylaws or other governing instruments;  
10          ~~(4)~~d. If the applicant is a foreign corporation, a copy of the certificate of  
11          authority to transact business in this State issued by the North  
12          Carolina Secretary of ~~State;~~ State.
- 13          (3) If the applicant is a partnership, an authenticated copy of the then current  
14          partnership agreement.
- 15          (4) If an assumed business name is used, certificates showing that the assumed  
16          business name has been filed as required by Article 14A of Chapter 66 of the  
17          General Statutes.
- 18          (5) A surety bond as required by G.S. 58-70-20. In the case of an alien  
19          corporation, the surety bond requirements shall be double the amount set by  
20          G.S. 58-70-20.
- 21          (6) A completed statement by each stockholder owning ten percent (10%) or  
22          more of the applicant's outstanding voting stock and each partner, director,  
23          and officer actively engaged in the collection agency business, containing:  
24          the name of the collection agency, the name and address of the individual  
25          completing the form, the positions held by the individual, each conviction of  
26          any criminal offense and any criminal charges pending other than minor  
27          traffic violations of the individual, and the name and address of three people  
28          not related to the individual who can attest to the individual's reputation for  
29          honesty and fair dealings.
- 30          (7) A statement sworn to by an appropriate corporate officer, partner, or  
31          individual proprietor giving a description of the collection method to be  
32          employed in this State.
- 33          (8) A statement certifying that there are no unsatisfied judgments against the  
34          applicant.
- 35          (9) A list of all telephone numbers assigned to or to be used by the applicant in  
36          the operation of the collection agency.
- 37          (10) The appropriate permit fee as required by G.S. 58-70-35.
- 38          (11) A balance sheet as of the last day of the month prior to the date of  
39          submission of the application, certified true and correct by a corporate  
40          officer, partner, or proprietor, setting forth the current assets, fixed assets,  
41          current liabilities, and positive net worth of the applicant.
- 42          (12) The address of the location at which the applicant will make those records of  
43          its collection agency business described in G.S. 58-70-25 available for  
44          inspection by the Commissioner of Insurance.
- 45          (13) A statement certifying that no officer, individual proprietor, or partner of the  
46          applicant has been convicted of a felony involving moral turpitude or any  
47          violation of any State or federal debt collection law.
- 48          (14) If the collection agency's office or records, as described in G.S. 58-70-25,  
49          are located outside of North Carolina, a statement sworn to by an appropriate  
50          corporate officer, partner, or individual proprietor consenting to and  
51          authorizing the reimbursement, to the Commissioner by the collection

1 agency, of expenses incurred by the Commissioner in conducting routine  
2 examinations, audits, and in investigating written complaints against the  
3 collection agency or its employees. All reimbursements shall be paid to the  
4 Commissioner no more than 30 days after the date of billing. In the case of  
5 an alien corporation, the sworn statement must provide that the corporation  
6 will make available to the Commissioner for his inspection, in North  
7 Carolina, those records described in G.S. 58-70-25, at the expense of the  
8 corporation.

9 (15) If the applicant is a foreign corporation, a statement authorizing the  
10 Commissioner to be its agent for service of process, which shall be  
11 administered pursuant to the provisions of G.S. 58-16-30.

12 (b1) In addition to the information required by ~~subsection (b) subdivision (a)(2)~~ of this  
13 section, if the applicant is an alien corporation, the corporation must be owned or majority  
14 controlled ultimately by a parent entity incorporated or organized under the laws of the United  
15 States or any jurisdiction within the United States, and the alien corporation may only service  
16 accounts held by an affiliate or subsidiary of the same parent entity. For purposes of this  
17 subsection, "control" is defined by G.S. 58-19-5(2). Should the alien corporation be sold to an  
18 entity unrelated to the parent entity, notice shall be provided to the Department of the pending  
19 sale 30 days in advance of the sale. Provision of Form 8-K, properly filed with the Securities  
20 and Exchange Commission, shall be deemed compliance with the notice requirement of this  
21 subsection. In the event of a sale, the new parent entity shall provide evidence to the  
22 Department within 30 days of the sale of its and the alien corporation's compliance with the  
23 requirements of this section. In the event that the new parent entity does not provide the  
24 evidence within 30 days after the sale, the alien corporation's permit shall be automatically  
25 suspended until the Department is provided the evidence of compliance which is satisfactory to  
26 the ~~Commissioner~~;Commissioner.

27 ~~(c) If the applicant is a partnership, an authenticated copy of the then current~~  
28 ~~partnership agreement;~~

29 ~~(d) If the trade name is used, certificates showing that the trade name has been filed as~~  
30 ~~required by G.S. 66-68;~~

31 ~~(e) A surety bond as required by G.S. 58-70-20. In the case of an alien corporation, the~~  
32 ~~surety bond requirements shall be double the amount set by G.S. 58-70-20;~~

33 ~~(f) A completed statement by each stockholder owning ten percent (10%) or more of~~  
34 ~~the applicant's outstanding voting stock and each partner, director, and officer actively engaged~~  
35 ~~in the collection agency business, containing: the name of the collection agency, the name and~~  
36 ~~address of the individual completing the form, the positions held by the individual, each~~  
37 ~~conviction of any criminal offense and any criminal charges pending other than minor traffic~~  
38 ~~violations of the individual, and the name and address of three people not related to the~~  
39 ~~individual who can attest to the individual's reputation for honesty and fair dealings;~~

40 ~~(g) A statement sworn to by an appropriate corporate officer, partner, or individual~~  
41 ~~proprietor giving a description of the collection method to be employed in North Carolina;~~

42 ~~(h) A statement certifying that there are no unsatisfied judgments against the applicant;~~

43 ~~(i) A list of all telephone numbers assigned to, or to be used by the applicant in the~~  
44 ~~operation of the collection agency;~~

45 ~~(j) The appropriate permit fee as required by G.S. 58-70-35;~~

46 ~~(k) A balance sheet as of the last day of the month prior to the date of submission of the~~  
47 ~~application, certified true and correct by a corporate officer, partner, or proprietor, setting forth~~  
48 ~~the current assets, fixed assets, current liabilities and positive net worth of the applicant;~~

49 ~~(l) The address of the location at which the applicant will make those records of its~~  
50 ~~collection agency business described in G.S. 58-70-25 available for inspection by the~~  
51 ~~Commissioner of Insurance.~~

1       (m) ~~A statement certifying that no officer, individual proprietor or partner of the~~  
2 ~~applicant has been convicted of a felony involving moral turpitude, or any violation of any~~  
3 ~~State or federal debt collection law.~~

4       (n) ~~If the collection agency's office or records, as described in G.S. 58-70-25, are~~  
5 ~~located outside of North Carolina, a statement sworn to by an appropriate corporate officer,~~  
6 ~~partner, or individual proprietor consenting to and authorizing the reimbursement, to the~~  
7 ~~Commissioner by the collection agency, of expenses incurred by the Commissioner in~~  
8 ~~conducting routine examinations, audits, and in investigating written complaints against the~~  
9 ~~collection agency or its employees. All reimbursements shall be paid to the Commissioner no~~  
10 ~~more than 30 days after the date of billing. In the case of an alien corporation, the sworn~~  
11 ~~statement must provide that the corporation will make available to the Commissioner for his~~  
12 ~~inspection, in North Carolina, those records described in G.S. 58-70-25, at the expense of the~~  
13 ~~corporation;~~

14       (o) ~~If the applicant is a foreign corporation, a statement authorizing the Commissioner~~  
15 ~~to be its agent for service of process, which shall be administered pursuant to the provisions of~~  
16 ~~G.S. 58-16-30.~~

17       (p) In the case of an alien corporation, when the corporation is in violation of this  
18 Article, the parent entity must agree to cure the violation by the alien corporation.

19       (q) For purposes of this Article, the following definitions apply:

20           (1) "Alien corporation" means a company incorporated or organized under the  
21 laws of any jurisdiction outside of the United States.

22           (2) "Foreign corporation" means a company incorporated or organized under the  
23 laws of the United States or of any jurisdiction within the United States other  
24 than this State.

25       (r) If the applicant is a subsidiary in a holding company system and if the applicant's  
26 ultimate parent regularly files financial information with the U.S. Securities and Exchange  
27 Commission, in lieu of complying with ~~subsection (k) subdivision (a)(11)~~ of this section, the  
28 applicant may file the ultimate parent company's balance sheet as of the most recent fiscal  
29 year-end, as certified by the ultimate parent's independent auditors, and accompanied by a  
30 guarantee of the applicant's performance from the ultimate parent company for the benefit of  
31 the Department, limited to those portions of this Article that are applicable to the applicant.

32       (s) After a permit is issued by the Commissioner, the permittee's ultimate parent, as  
33 specified in subsection (r) of this section, shall remain responsible for the guarantee of  
34 performance as provided in subsection (r) of this section notwithstanding any change in the  
35 corporate structure of the ultimate parent company. If the permittee is acquired by any other  
36 person that has control over the permittee, the controlling person shall provide its own  
37 guarantee of performance as provided in subsection (r) of this section for the permittee to retain  
38 its permit. If the permittee does not have an ultimate parent company, it shall file its own  
39 balance sheet as specified in ~~subsection (k) subdivision (a)(11)~~ of this section."

40       **SECTION 7.** G.S. 59-84.1 reads as rewritten:

41 **"§ 59-84.1. Partnership to comply with ~~"assumed name" statute;~~ Assumed Business Name**  
42 **Act; income taxation.**

43       (a) Every partnership other than a limited partnership shall comply with, and be subject  
44 to, the provisions of ~~Articles 14~~ Articles 14A and 15 of Chapter 66 of the General Statutes in  
45 all cases in which the ~~same~~ Articles are applicable.

46       ...."

47       **SECTION 8.** G.S. 62-115 reads as rewritten:

48 **"§ 62-115. Issuance of partnership franchises.**

49       No franchise shall be issued under this Article to two or more persons until ~~such~~ the persons  
50 have executed a partnership agreement, filed a copy of ~~said~~ the agreement with the  
51 Commission, and indicated to the Commission, in writing, that they have complied with ~~Article~~



1 ~~14~~ Article 14A of Chapter 66 of the General Statutes relating to ~~doing~~ engaging in business  
2 under an assumed business name."

3 **SECTION 9.** G.S. 66-262 reads as rewritten:

4 "**§ 66-262. Filing information.**

5 (a) Each filing submitted to the Secretary shall contain all of the following information:

6 (1) The name or names, including any assumed business names, under which  
7 the telephonic seller is doing or intends to do business in this State.

8 ...."  
9

10 **PART III. EFFECTIVE DATE AND APPLICABILITY PROVISIONS**

11 **SECTION 10.** This act becomes effective July 1, 2016. This act does not affect a  
12 civil action or proceeding commenced or a right accrued before July 1, 2016.