

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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**SENATE BILL 488
Second Edition Engrossed 5/13/21**

Short Title: Consumer Protection- Invoice Advertisements. (Public)

Sponsors: Senators Rabon, Ford, and Alexander (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 5, 2021

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE THE USE OF DISCLAIMERS ON SIMULATED CHECKS OR INVOICES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 75-35 reads as rewritten:

"§ 75-35. Simulation of checks and invoices.

No person engaged in commerce shall in any manner issue any writing which simulates or resembles: (i) a negotiable instrument; or (ii) an invoice, unless the intended recipient has actually contracted for goods, property, or services for which the issuer seeks proper payment. The inclusion of any disclaimer on the writing shall not be a defense to a violation of this section. Nothing in this section shall be interpreted as prohibiting unsolicited checks to secure loans made by a lender under the terms and conditions provided by G.S. 75-20."

SECTION 2. This act becomes effective October 1, 2021.

