

**§ 78D-29. Scope of the Chapter.**

- (a) G.S. 78D-2, 78D-5 and 78D-6 apply to persons who sell or offer to sell when:
  - (1) An offer to sell is made in this State, or
  - (2) An offer to buy is made and accepted in this State.
- (b) G.S. 78D-2, 78D-5 and 78D-6 apply to persons who buy or offer to buy when:
  - (1) An offer to buy is made in this State, or
  - (2) An offer to sell is made and accepted in this State.
- (c) For the purpose of this section, an offer to sell or to buy is made in this State, whether or not either party is then present in this State, when the offer:
  - (1) Originates from this State, or
  - (2) Is directed by the offeror to this State and received at the place to which it is directed (or at any post office in this State in the case of a mailed offer).
- (d) For the purpose of this section, an offer to buy or to sell is accepted in this State when acceptance:
  - (1) Is communicated to the offeror in this State, and
  - (2) Has not previously been communicated to the offeror, orally or in writing, outside this State; and acceptance is communicated to the offeror in this State, whether or not either party is then present in this State, when the offeree directs it to the offeror in this State, reasonably believing the offeror to be in this State and it is received at the place to which it is directed (or at any post office in this State in the case of a mailed acceptance).
- (e) An offer to sell or to buy is not made in this State when:
  - (1) The publisher circulates or there is circulated on his behalf in this State any bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this State, or which is published in this State but has had more than two-thirds of its circulation outside this State during the past 12 months, or
  - (2) A radio or television program originating outside this State is received in this State. (1989, c. 634, s. 1.)