

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 530

Short Title: Professional Corporation Act Amendment.

(Public)

Sponsors: Representatives Neely; and Brawley.

Referred to: Judiciary II.

March 18, 1997

A BILL TO BE ENTITLED

AN ACT TO EXEMPT SOME CORPORATIONS FROM THE APPLICABILITY OF
THE PROFESSIONAL CORPORATION ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 55B-15 reads as rewritten:

"§ 55B-15. **Applicability of Chapter.**

(a) This Chapter shall not apply to the following:

(1) ~~any~~ A corporation which prior to June 5, 1969, was permitted by law to render professional services ~~as herein defined~~ or ~~to~~ the corporate successor of ~~any such that~~ corporation by merger or otherwise by operation of law, provided there is no substantial change in the direct or indirect beneficial ownership of the shares of ~~such that~~ corporation as the result of ~~such the~~ merger or other ~~transaction;~~ transaction. ~~for~~ For purposes of this ~~section;~~ subdivision, a change of twenty percent (20%) or less shall not be considered substantial.

(2) A corporation that renders integral services defined in Chapters 83A, 89A, 89C, and 89E that are related to the planning and design of utilities, structures, buildings, machines or equipment to be manufactured, installed, constructed, or serviced by the employees of the corporation or firm. For purposes of this subdivision, 'integral

1 services' means services subordinate to and reasonably necessary to
2 support the primary services offered or rendered by a corporation. This
3 subdivision does not limit or modify the applicability of G.S. 55B-8.
4 (b) ~~Any such corporation or successor corporation rendering "professional service" as~~
5 ~~defined in G.S. 55B-2(6)~~ A corporation or its successor exempt under subsection (a) of this
6 section may be brought within the provisions of this Chapter by the filing of an
7 amendment to its articles of incorporation declaring that its shareholders have elected to
8 bring the corporation within the provisions of this Chapter and to make the same conform
9 to all of the provisions of this Chapter."
10 Section 2. This act is effective when it becomes law.