

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 889

Short Title: New Tobacco Warehouse Fee.

(Public)

Sponsors: Representatives Bowen; and Fitch.

Referred to: Finance.

April 12, 1993

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE TOBACCO WAREHOUSES TO CHARGE A FEE TO
THE BUYERS OF LEAF TOBACCO.

The General Assembly of North Carolina enacts:

Section 1. G.S. 106-452 reads as rewritten:

"§ 106-452. Maximum warehouse charges.

The charges and expenses to the seller of handling and selling leaf tobacco upon the floor of tobacco warehouses shall not exceed the following schedule of prices, viz: for auction fees, fifteen cents (15¢) on all piles of 100 pounds or less, and twenty-five cents (25¢) on all piles over 100 pounds; for weighing and handling, ten cents (10¢) per pile for all piles less than 100 pounds, for all piles over 100 pounds at the rate of ten cents (10¢) per hundred pounds; for commissions on the gross sales of leaf tobacco in said warehouses, not to exceed two and one-half per centum (2 1/2%): Provided that tobacco warehouses selling burley tobacco only may charge commissions on to the seller the gross sales of burley leaf tobacco not to exceed three and one-half per centum (3 1/2%). There may also be a basket fee of twenty-five cents (25¢) per basket on all burley leaf tobacco sold in such warehouses.

The charges to the buyer for sales fees on the gross purchases of leaf tobacco in a warehouse shall not exceed one per centum (1%)."

Sec. 2. G.S. 106-454 reads as rewritten:

"§ 106-454. Warehouse proprietor, etc., to render bill of charges; penalty.

The owner, operator, or person in charge of each warehouse shall render to each seller of tobacco at the warehouse a bill plainly stating the amount charged to the seller for weighing and handling, the amount charged to the seller for auction fees, and the

1 commission charged to the seller on such sale, and it shall be unlawful for any other
2 charge or fees to the seller to be made or accepted. The owner, operator, or person in
3 charge of each warehouse shall render to each buyer of tobacco at the warehouse a bill
4 plainly stating the sales fees charged to the buyer on such sale, and it shall be unlawful
5 for any other charge or fees to the buyer to be made or accepted. Any person, firm,
6 corporation, or any employee thereof, violating the provisions of this section shall be
7 guilty of a misdemeanor and fined not less than one hundred dollars (\$100.00) nor more
8 than two hundred and fifty dollars (\$250.00) and/or imprisoned not to exceed 30 days
9 for the first offense, and for the second or additional offenses fined not less than five
10 hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000) or imprisoned
11 for not less than 30 days or more than six months, or both fined and imprisoned, in the
12 discretion of the court."

13 Sec. 3. This act becomes effective July 1, 1993.