

March 5, 2003

**S 293. SALES REPRESENTATIVE COMMISSIONS REVISIONS. TO AMEND THE LAW GOVERNING SALES REPRESENTATIVE COMMISSIONS.** Amends GS 66-190 to –193, governing the payment of commissions to sales representatives by their principals. Expands coverage of statutes to include commissions expressed as a percentage of profits, to make them apply to principals who have places of business within as well as outside of NC, and to make them apply to contracts to solicit retail as well as wholesale orders for products and services (current law applies only to wholesale orders for sales of products). Provides that agreement between sales representative and principal must be in writing but absence of written agreement does not bar sales representative from remedies provided by this statute. Specifies that principal must pay all commissions due within 30 days after termination and commissions that become due after termination within 14 days after they become due. Authorizes sales representative to send a written demand for payment of commissions and makes principal's failure to respond within 30 days a willful act in bad faith. Increases exemplary damages for failure to pay commissions to an amount up to three times amount of commissions due. Sets out conditions under which sales representative is entitled to receive commissions when principal revokes offer of commissions. Effective Oct. 1, 2003.

**Intro. by Thomas.**

Ref. to Judiciary II	GS 66
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April 3, 2003

**S 293. SALES REPRESENTATIVE COMMISSIONS REVISIONS.** Intro. 3/5/03. Senate committee substitute adopted 4/02/03 makes the following changes to 1st edition. Provides that sales representative does not include a seller who complies with GS 25A-39 and GS 25A-40 or 16 CFR 429. Extends civil liability to principal who wrongfully revokes an offer of commission under GS 66-192.1. Provides that act applies to causes of action accruing after effective date.

June 2, 2003

**S 293. SALES REPRESENTATIVE COMMISSIONS REVISIONS.** Intro. 3/5/03. House committee substitute makes the following changes to 2nd edition. (1) Adds new subsection f. to GS 66-190(4) to exclude from the definition of "sales representative" a person who sells or takes order for the sale of advertising services. (2) Makes stylistic changes to GS 66-190(4)c.2. and to GS 66-191.1.

June 10, 2003

**S 293. SALES REPRESENTATIVE COMMISSIONS REVISIONS.** Intro. 3/5/03. House committee substitute makes the following changes to 3rd edition. Adds new GS 66-190(4)g. excluding persons requiring a real estate broker's or sales agent's license under GS Ch. 93A from definition of "sales representative." Amends GS 66-192(a)(i) to decrease amount of exemplary damages to two (was, three) times the amount of commissions due the sales representative.