

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 499
Senate Commerce Committee Substitute Adopted 5/29/97

Short Title: GIS Record Exception.

(Public)

Sponsors:

Referred to:

March 11, 1997

1 A BILL TO BE ENTITLED
2 AN ACT RELATING TO THE USE OF GEOGRAPHICAL INFORMATION SYSTEM
3 DATABASE INFORMATION BY REAL ESTATE TRADE ASSOCIATIONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 132-10 reads as rewritten:

6 **"§ 132-10. Qualified exception for geographical information systems.**

7 Geographical information systems databases and data files developed and operated by
8 counties and cities are public records within the meaning of this Chapter. The county or
9 city shall provide public access to such systems by public access terminals or other output
10 devices. Upon request, the county or city shall furnish copies, in documentary or
11 electronic form, to anyone requesting them at reasonable cost. As a condition of
12 furnishing an electronic copy, whether on magnetic tape, magnetic disk, compact disk, or
13 photo-optical device, a county or city may require that the person obtaining the copy
14 agree in writing that the copy will not be resold or otherwise used for trade or commercial
15 purposes. For purposes of this section, publication or broadcast by the news ~~media~~-media,
16 real estate trade associations, or Multiple Listing Services operated by real estate trade
17 associations shall not constitute a resale or use of the data for trade or commercial
18 purposes and use of information without resale by a licensed professional in the course of
19 practicing the professional's profession shall not constitute use for a commercial purpose.

1 For purposes of this section, resale at cost by a real estate trade association or Multiple
2 Listing Services operated by a real estate trade association shall not constitute a resale or
3 use of the data for trade or commercial purposes."

4 Section 2. This act is effective when it becomes law.