



CHAPTER 78D
ARTICLE 2 - ADMINISTRATION AND ENFORCEMENT

N.C.G.S. § 78D-22.

Enforcement of Chapter.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 1998-215, s. 123 — second act in the lineage	RETRIEVED 21 September 2026, 03:32 UTC	SOURCE FINGERPRINT b4a2dff3682cfe1d5dd3f79e - 43cdd7ab813a2388fbd26101 - cdc24d6ee45835a4
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§ 78D-22(a) If the Administrator believes, whether or not based upon an investigation conducted under G.S. 78D-21 that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this Chapter or any rule or order hereunder, the Administrator may:

- (1) Issue a cease and desist order;
- (2) Issue an order imposing a civil penalty in an amount which may not exceed twenty-five thousand dollars (\$25,000) for any single violation or five hundred thousand dollars (\$500,000) for multiple violations in a single proceeding or a series of related proceedings;
- (3) Issue an order requiring reimbursement of the costs of investigation; or
- (4) Initiate any of the actions specified in subsection (b) of this section.

The clear proceeds of civil penalties imposed pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. Any reimbursement of costs imposed by this subsection shall be paid to the General Fund.

§ 78D-22(b) The Administrator may institute any of the following actions in the appropriate courts of this State, or in the appropriate courts of another state, in addition to any legal or equitable remedies otherwise available:

- (1) A declaratory judgment;

- (2) An action for a prohibitory or mandatory injunction to enjoin the violation and to ensure compliance with this Chapter or any rule or order of the Administrator;
- (3) An action for disgorgement; or
- (4) An action for appointment of a receiver or conservator for the defendant or the defendant's assets.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1989		1994	1998
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1989	c. 634, s. 1	ENACTED
02	1998	S.L. 1998-215, s. 123	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 78D-21	(a)	"based upon an investigation conducted under"
G.S. 115C-457.2	(a)	"and Forfeiture Fund in accordance with"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 78D-22 (1998).

PINPOINT

N.C. Gen. Stat. § 78D-22(a) (1998).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1989, c. 634, s. 1; 1998-215, s. 123.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

