

§ 115C-523.2. Flood insurance.

(a) The local board of education of every local school administrative unit in the public school system of this State, in order to safeguard the investment made in public schools, shall insure and keep insured to the extent of not less than eighty percent (80%) of the current insurable value, as determined by the insurer and the insured, of each of its insurable buildings against flood when that property is located, or becomes located in, an area identified on the latest Flood Insurance Rate Map produced by the Federal Emergency Management Agency as area that will be inundated by the flood event having a one percent (1%) chance of being equaled or exceeded in any given year. The local board of education shall provide to the Commissioner of Insurance a list of all of its insurable buildings against flood and their insurable values by October 1 of each year.

(b) The tax-levying authority for each local school administrative unit shall appropriate funds necessary for compliance with the provisions of subsection (a) of this section.

(c) Local boards of education may purchase insurance from companies duly licensed and authorized to sell insurance in this State or may obtain insurance in accordance with the provisions of Article 31A of Chapter 58 of the General Statutes, "State Insurance of Public Education Property." If a local board of education purchases insurance from a company duly licensed and authorized to sell insurance in this State for any insurable building against flood, the local board of education shall provide the Commissioner with a copy of the policy of insurance. If the policy of insurance is cancelled, terminated, or changed for any reason, the local board of education shall notify the Commissioner within five days of the effective date of the cancellation, termination, or change.

(d) If the Commissioner of Insurance determines that any person has willfully failed to comply with the provisions of subsections (a), (b), and (c) of this section, the Commissioner of Insurance may order, for each separate violation, a civil penalty under the procedures in G.S. 58-2-70(d). Every 24 hours without such insurance constitutes a separate violation. (2019-176, s. 1(b); 2022-46, s. 6(b).)