

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 432
HOUSE BILL 69

1 AN ACT TO AMEND G.S. 58-251.1 RELATING TO THE TIME LIMIT ON CERTAIN
2 DEFENSES TO LIABILITY UNDER ACCIDENT AND HEALTH INSURANCE
3 POLICIES.

4 The General Assembly of North Carolina do enact:

5 **Section 1.** G.S. 58-251.1, as the same appears in the 1960 Replacement Volume of
6 the General Statutes, is hereby amended by rewriting the first paragraph of Subdivision "a" of
7 Subdivision (2) of Subsection (a) thereof, the same being lines 21-26 of said Section, to read as
8 follows:

9 "a. After two years from the date of issue or reinstatement of this policy
10 no misstatements except fraudulent misstatements made by the
11 applicant in the application for such policy shall be used to void the
12 policy or to deny a claim for loss incurred or disability (as defined in
13 the policy) commencing after the expiration of such two-year period.

14 The foregoing policy provisions may be used in its entirety only
15 in Major or Catastrophe Hospitalization policies and Major Medical
16 policies each affording benefits of five thousand dollars (\$5,000.00)
17 or more for any one sickness or injury, Disability Income policies
18 affording benefits of one hundred dollars (\$100.00) or more per
19 month for not less than 12 months and Franchise policies. Other
20 policies to which this Section applies must delete the words 'except
21 fraudulent misstatements'."

22 **Sec. 2.** This Act shall become effective July 1, 1961.

23 In the General Assembly read three times and ratified, this the 16th day of May,

24 1961.