

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1372
SENATE BILL 1126

AN ACT CONCERNING THE DEFENSE OF STATE EMPLOYEES AND FORMER
EMPLOYEES IN RELATION TO CLAIMS ARISING OUT OF OR IN CONNECTION
WITH THEIR EMPLOYMENT BY THE STATE.

The General Assembly of North Carolina enacts:

Section 1. Article 31A of Chapter 143 of the General Statutes of North Carolina is hereby amended by adding subsection 143-300.6 to read as follows:

"§ 143-300.6. **Payment of judgments.** — (a) All final judgments awarded in courts of competent jurisdiction against State employees in actions or suits to which this Article applies, or any amounts payable under a settlement of such suits in accordance with this Section, shall be paid by the department, agency, board, commission, institution, bureau or authority which employs or employed the State employee. Nothing in this Section shall be deemed to waive the sovereign immunity of the State with respect to a claim covered under this Section or to authorize the payment of any judgment or settlement against a State employee in excess of twenty thousand dollars (\$20,000).

(b) The Attorney General may compromise and settle any claim covered by this Section to the extent that he finds the same to be valid, provided that no settlement of any such claim in an amount in excess of twenty thousand dollars(\$20,000) shall be made without the approval of the employee. In a case wherein the Attorney General has stated in writing that private counsel ought to be provided because of a conflict with the interests of the State, the settlement in excess of twenty thousand dollars (\$20,000) must be approved by the private counsel."

Sec. 2. This act shall become effective on ratification.

In the General Assembly read three times and ratified, this the 12th day of April,
1974.