

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 576
SENATE BILL 584

AN ACT TO AUTHORIZE THE ATTORNEY GENERAL TO PAY MEDICAL BILLS FOR
PUPILS TRANSPORTED TO AND FROM SCHOOL BY SCHOOL BUSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-257, 115C-258 and 115C-259, as they appear in Chapter 423 of the 1981 Session Laws, are rewritten to read as follows:

"§ **115C-257. Attorney General to pay claims.** — The Attorney General is hereby authorized to pay reasonable medical expenses, not to exceed six hundred dollars (\$600.00), incurred within one year from the date of accident to or for each pupil who sustains bodily injury or death caused by accident, while boarding, riding on, or alighting from a school bus operated by any local school administrative unit.

"§ **115C-258. Provisions regarding payment.** — The claims authorized herein may be paid, regardless of whether the injury received by the pupil was due to negligence on the part of the school bus driver, the injured pupil, or any other person. To the extent of payments made under this Article, the Attorney General shall be subrogated to the right of the pupil against any third party legally responsible for the injury. Further, any amounts paid shall constitute a credit against any obligation arising under the provisions of the Tort Claims Act.

"§ **115C-259. Claims must be filed within one year.** — The right to payment as authorized herein shall be forever barred unless a claim be filed with the Attorney General within one year after the accident."

Sec. 2. G.S. 115C-260 and G.S. 115C-261 as they appear in Chapter 423 of the 1981 Session Laws are repealed.

Sec. 3. The provisions of this act are void and of no effect unless the Current Operations Appropriations Act for the 1981-83 biennium reflects the transfer of thirty-eight thousand dollars (\$38,000) for each of the fiscal years 1981-82 and 1982-83 from the budget of the Department of Public Education to the budget of the Department of Justice.

Sec. 4. This act shall become effective July 1, 1981, and shall apply to all claims presented on or after that date.

In the General Assembly read three times and ratified, this the 15th day of June, 1981.