

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 888
SENATE BILL 676

AN ACT TO MAKE TECHNICAL CHANGES AND CLARIFICATIONS REGARDING
THE JURISDICTION OF THE NORTH CAROLINA RATE BUREAU.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-124.17(1) is amended by adding after the word "therewith" on line 15 the following:

"except for insurance excluded from the Bureau's jurisdiction in G.S. 58-124.17(3)."

Sec. 2. G.S. 58-124.17(3) is amended by adding a new sentence to read:

"The Bureau shall have no jurisdiction over excess workers' compensation insurance for employers qualifying as self-insurers as provided in G.S. 97-93; nor shall the Bureau's jurisdiction include farm buildings other than farm dwellings and their appurtenant structures; farm personal property; travel or camper trailers designed to be pulled by private passenger motor vehicles, unless insured under policies covering nonfleet private passenger motor vehicles; residential real and personal property insured in multiple line insurance policies covering business activities as the primary insurable interest; and marine, general liability, burglary and theft, glass, and animal collision insurance, except when such coverages are written as an integral part of a multiple line insurance policy for which there is an indivisible premium."

Sec. 3. G.S. 58-124.17(5) is rewritten to read:

"(5) It is the duty of every insurer that writes workers' compensation insurance in this State and is a member of the Bureau, as defined in this section and G.S. 58-124.18 to insure and accept any workers' compensation insurance risk that has been certified to be 'difficult to place' by any fire and casualty insurance agent who is licensed in this State. When any such risk is called to the attention of the Bureau by receipt of an application with an estimated or deposit premium payment and it appears that the risk is in good faith entitled to such coverage, the Bureau will bind coverage for 30 days and will designate a member who must issue a standard workers' compensation policy of insurance that contains the usual and customary provisions found in those policies. Coverage will be bound at 12:01 A.M. on the first day following the postmark time and date on the envelope in which the application is mailed including the estimated annual or deposit premium, or the expiration of existing coverage, whichever is later. If there should be no postmark, coverage will be effective 12:01 A.M. on the date of receipt by the Bureau unless a later date is requested. Those applications hand delivered to the Bureau will be effective as of 12:01 A.M. of the date following receipt by the Bureau unless a later date is requested. The designated carrier may request of the Bureau certification of the State Department of Labor that the insured is complying with the laws, rules, and regulations of that Department. The certification must be finished within 30 days by the State Department of Labor unless extension of time is granted by agreement between the Bureau and the State Department of Labor. The Bureau will

make and adopt such rules as are necessary to carry this section into effect, subject to final approval of the Commissioner. As a prerequisite to the transaction of workers' compensation insurance in this State, every member of the Bureau that writes such insurance must file with the Bureau written authority permitting the Bureau to act in its behalf, as provided in this section, and an agreement to accept risks that are assigned to the member by the Bureau, as provided in this section."

Sec. 4. G.S. 58-124.18(a) is amended on line 12 by adding immediately after the word "therewith" the following:

"; except for insurance excluded from the Bureau's jurisdiction in G.S. 58-124.17(3)".

Sec. 5. G.S. 58-131.36(11) is amended by adding after the word "insurance" on line 4 the following:

"Provided, however, that this Article shall apply to insurance against loss to farm buildings (other than farm dwellings and their appurtenant structures); farm personal property; travel or camper trailers designed to be pulled by private passenger motor vehicles unless insured under policies covering nonfleet private passenger motor vehicles; residential real and personal property insured in multiple line insurance policies covering business activities as the primary insurable interest; and marine, general liability, burglary and theft, glass, and animal collision insurance except when such coverages are written as an integral part of a multiple line insurance policy for which there is an indivisible premium."

Sec. 6. G.S. 58-366(b) is amended by adding a new subsection (7) to read:

"(7) Insurance on farm buildings (other than farm dwellings and their appurtenant structures); farm personal property; travel or camper trailers designed to be pulled by private passenger motor vehicles unless insured under policies covering nonfleet private passenger motor vehicles; residential real and personal property insured in multiple line insurance policies covering business activities as the primary insurable interest; and marine, general liability, burglary and theft, glass, and animal collision insurance except when such coverages are written as an integral part of a multiple line insurance policy for which there is an indivisible premium."

Sec. 7. G.S. 58-371(a)(1) is amended on line 8 by adding after the word "insurance" the following "except as excluded in G.S. 58-366(b)(7)".

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of July, 1981.