

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

S

3

SENATE BILL 702  
Insurance Committee Substitute Adopted 6/7/11  
Third Edition Engrossed 6/7/11

Short Title: Director and Officer Insurance for Treasurer.

(Public)

Sponsors:

Referred to:

April 20, 2011

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW THE STATE TREASURER TO PURCHASE LIABILITY  
3 INSURANCE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 6 of Chapter 147 of the General Statutes is amended by  
6 adding a new section to read:

7 "**§ 147-69.3A. Liability insurance for State Treasurer.**

8 (a) The State Treasurer may purchase commercial insurance of any kind to cover all  
9 risks or potential liability of the State Treasurer, boards in the Department of the State  
10 Treasurer, members of boards in the Department of the State Treasurer, and employees and  
11 agents of the State Treasurer, including the risks and potential liability related to investments  
12 managed by the State Treasurer.

13 (b) Board members and employees of boards in the Department of the State Treasurer  
14 shall be considered State employees for purposes of Articles 31 and 31A of Chapter 143 of the  
15 General Statutes. To the extent that the State Treasurer purchases commercial liability  
16 insurance coverage in excess of one hundred fifty thousand dollars (\$150,000) per claim for  
17 liability arising under Article 31 or 31A of Chapter 143 of the General Statutes, the provisions  
18 of G.S. 143-299.4 shall not apply. To the extent that the State Treasurer purchases commercial  
19 insurance coverage for liability arising under Article 31 or 31A of Chapter 143 of the General  
20 Statutes, the provisions of G.S. 143-300.6(a) shall not apply.

21 (c) The purchase of insurance by the State Treasurer under this section shall not be  
22 construed to waive sovereign immunity or any other defense available to the State Treasurer,  
23 boards in the Department of the State Treasurer, members of boards in the Department of the  
24 State Treasurer, or employees or agents of the State Treasurer in an action or contested matter  
25 in any court, agency, or tribunal. The purchase of insurance by the State Treasurer shall not be  
26 construed to alter or expand the limitations on claims or payments established in  
27 G.S. 143-299.2 or limit the right of the State Treasurer, board members, employees, or agents  
28 to defense by the State as provided by G.S. 143-300.3."

29 SECTION 2. This act is effective when it becomes law.

