

**§ 58-31A-40. Determination and adjustment of premium rates; certificate as to insurance carried; no lapse; notice as to premiums required, and payments of premiums.**

(a) The Commissioner shall determine the annual premium rate to be charged for insurance of public education properties pursuant to this Article, and rates shall be adjusted from time to time so as to provide insurance against damage or loss resulting from insurable hazards to public education buildings and properties of the public education boards at the lowest cost possible in keeping with the payment of cost of administration under this Article, and the creation of adequate reserves to pay losses which may be incurred. The Commissioner shall furnish to each public education board annually and, at such times as changes may require, a certificate showing the amount of insurance carried on each item of insurable property. This insurance shall not lapse but shall remain in force until the public education board requests that the insurance be canceled or until such property becomes uninsurable in the manner set out in G.S. 58-31A-45. From time to time, the public education board shall be notified as to the amount of the premiums required to be paid for insurance and the amounts to be provided for in the annual budget of the public education board. The tax-levying authorities shall provide by taxation or otherwise a sum sufficient to pay the required premiums.

(b) The public education board shall, within 30 days from notice of the rate of the premium, pay to the Commissioner the amount of the premiums on the insurance, and in the event that there are no funds available to make a payment on the premiums as required by this subsection, the premium shall be paid out of the first funds available to the public education board. Delayed payments shall bear interest at the rate of six percent (6%) per annum. (2019-176, s. 3(b).)