

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 647
HOUSE BILL 1926

AN ACT TO PROVIDE FOR THE USE OF EXPERIENCE MODIFIERS IN CALCULATING AN INDIVIDUAL SELF-INSURED WORKERS' COMPENSATION MAINTENANCE FUND TAXES AND TO INCREASE THE ASSESSMENT PERCENTAGE FOR THE STOCK AND MUTUAL WORKERS' COMPENSATION SECURITY FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-100(j) reads as rewritten:

"(j) Every employer carrying his own risk under the provisions of G.S. 97-93 shall, under oath, report to the Commissioner of Insurance his payroll, subject to the provisions of this Article. Such report shall be made in form prescribed by the Commissioner of Insurance, and at the times herein provided for premium reports by insurer. The Commissioner of Insurance shall assess against such payroll a maintenance fund tax computed by taking such percent of the basic premiums charged against the same or most similar industry or business taken from the manual insurance rate then in force in this State as is assessed in the Revenue Act against the insurance carriers for premiums collected on compensation insurance policies. The Commissioner shall use the approved experience modifier of an employer in calculating the employer's maintenance fund tax liability under this subsection. Receipts collected under this subsection shall be deposited to the credit of the State Treasurer as general fund revenue."

Sec. 2. G.S. 97-109 reads as rewritten:

"§ 97-109. Contributions by stock carriers of ~~1%~~2% of net written premiums.

For the privilege of carrying on the business of workers' compensation insurance in this State, every stock carrier ~~shall pay into the stock fund on the first day of September, 1935, a sum equal to one per centum (1%) of its net written premiums as shown by the return hereinbefore prescribed for the period ending June 30, 1935, and thereafter each such stock carrier, upon filing each semiannual return as prescribed in G.S. 97-108, shall pay into the stock fund a sum equal to one per centum (1%)~~ two percent (2%) of its net written premiums for the period covered by ~~such the~~ the return."

Sec. 3. G.S. 97-116 reads as rewritten:

"§ 97-116. Contributions by mutual carriers of ~~1%~~2% of net written premiums.

For the privilege of carrying on the business of workers' compensation insurance in this State, every mutual carrier ~~shall pay into the mutual fund on the first day of September, 1935, a sum equal to one per centum (1%) of its net written premiums, as shown by the return hereinbefore prescribed for the period ending June 30, 1935, and~~

~~thereafter each such mutual carrier~~, upon filing each semiannual return as prescribed in G.S. 97-115, shall pay into the mutual fund a sum equal to ~~one per centum (1%)~~ two percent (2%) of its net written ~~premiums, as shown~~ premiums for the period covered by ~~such the~~ return."

Sec. 4. Section 1 of this act is effective for taxable years beginning on or after January 1, 1990; the remaining sections are effective upon ratification.

In the General Assembly read three times and ratified this the 15th day of July, 1989.