

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 678

Pensions and Retirement/Insurance/State Personnel Committee Substitute Adopted
6/7/95

Short Title: Consumer Protection Fund/AB.

(Public)

Sponsors:

Referred to: Finance

April 13, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW MONEY CREDITED TO THE CONSUMER PROTECTION
2 FUND TO BE USED TO RETAIN EXPERTS FOR HEARINGS AND TO
3 REQUIRE THAT MONEY RECOVERED FROM DELINQUENCY
4 PROCEEDINGS OR CIVIL ACTIONS AGAINST THE COMMISSIONER BE
5 CREDITED TO THE FUND.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 58-2-215(b) reads as rewritten:

9 "(b) All moneys credited to the Fund shall be used only to pay the following
10 expenses incurred by the Department:

- 11 (1) For the purpose of retaining outside actuarial and economic consultants,
12 legal counsel, and court reporting services in the review and analysis of
13 rate filings, in conducting all hearings, and through any final
14 ~~adjudication~~-adjudication; or for the purpose of retaining other outside
15 experts or professionals to respond to averments, testimony, allegations,
16 or other statements made by experts or professionals used by the other
17 party in the proceedings.

- 1 (2) In connection with any delinquency proceeding under Article 30 of this
2 Chapter, for the purpose of locating and recovering the assets of or any
3 other obligations or liabilities owed to or due an insurer that has been
4 placed under such proceeding.
- 5 (3) In connection with any civil litigation, other than under Chapter 150B of
6 the General Statutes or any appeal from an order of the Commissioner
7 or his deputies, that is commenced against the Commissioner or his
8 deputies and that arises out of the performance of their official duties,
9 for the purpose of retaining outside consultants, legal counsel, and court
10 reporting services to defend such litigation.

11 All moneys received by the State in recoveries made under subdivision (2) of this
12 subsection or in counterclaims or lawsuits filed by the State in connection with any
13 litigation under subdivision (3) of this subsection shall be credited to the Fund."

14 Sec. 2. This act is effective upon ratification.