

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

Finance Committee Substitute No. 2 Adopted 6/6/96

Short Title: Consumer Protection Fund/AB.

(Public)

Sponsors:

Referred to:

April 13, 1995

A BILL TO BE ENTITLED

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

The General Assembly of North Carolina enacts:

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

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

(1) For the purpose of retaining outside actuarial and economic consultants, legal counsel, and court reporting services in the review and analysis of rate filings, in conducting all hearings, and through any final adjudication.

(1a) For the purpose of retaining meteorologists, statisticians, and other kinds of professionals and experts needed to analyze or respond to averments, testimony, allegations, or other statements made by other

1 experts or professionals in a rate-making matter or to analyze evidence
2 or exhibits filed or offered by an opposing party in a rate-making matter.

3 (2) In connection with any delinquency proceeding under Article 30 of this
4 Chapter, for the purpose of locating and recovering the assets of or any
5 other obligations or liabilities owed to or due an insurer that has been
6 placed under such proceeding.

7 (3) In connection with any civil litigation, other than under Chapter 150B of
8 the General Statutes or any appeal from an order of the Commissioner
9 or his deputies, that is commenced against the Commissioner or his
10 deputies and that arises out of the performance of their official duties,
11 for the purpose of retaining outside consultants, legal counsel, and court
12 reporting services to defend such litigation."

13 Sec. 2. G.S. 58-2-215 is amended by adding a new subsection to read:

14 "(e) All moneys received by the State in recoveries made under subsection (b)(2) of
15 this section or in counterclaims or lawsuits filed by the State in connection with any
16 litigation under subsection (b)(3) of this section shall be credited to the Fund."

17 Sec. 3. This act is effective upon ratification.