## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2009

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## HOUSE BILL 889\*

	Short Title:	Struc. Settlement Annuities/Ins. Guar. Assn. (Pu	ublic)		
	Sponsors:	Representatives Haire, Love, Blue, Faison (Primary Sponsors); Bordsen, L Mackey, Michaux, and Mills.	Jucas,		
	Insurance, if favorable, Judiciary III.				
	March 31, 2009				
1	A BILL TO BE ENTITLED				
2					
3	ASSOCIATION WITH RESPECT TO STRUCTURED SETTLEMENT ANNUITIE				
4	FOR MATTERS INVOLVING PERSONAL INJURY OR ILLNESS.				
5	The General Assembly of North Carolina enacts:				
6	<b>SECTION 1.</b> G.S. 58-62-16 is amended by adding a new subdivision to read:				
7	"(17a) 'Structured settlement annuities' means any annuity benefits payable to a				
8		person by an insurer under an annuity contract issued to fund, in whole			
9		part, a settlement agreement for a matter involving personal injury or ill			
10		including any settlement agreement permitted under Chapter 97 of	f the		
11	General Statutes."				
12	<b>SECTION 2.</b> G.S. 58-62-21(a) reads as rewritten:				
13		"§ 58-62-21. Coverage and limitations.			
14		(a) This Article provides coverage for the policies and contracts specified in subsection			
15	(b) of this sec		C .1 ·		
16 17	(1)				
17		subsection who, regardless of where they reside (except for nonres			
18 19		certificate holders under group policies), are the beneficiaries, assigned			
20		payees of the persons covered under subdivision (2) of this-subsection;	<del>,</del>		
20	(2)		f this		
21	(2)	subsection who are owners or certificate holders under the policies, or i			
22		case of unallocated annuity contracts to the persons who are the cor			
24		holders, and who are residents of this State, or who are not residents of			
25		State, but only under all of the following conditions: (i) the insurers			
26		issued the policies are domiciled in this State; (ii) the insurers never h			
27		license in the states in which the persons reside; (iii) the states			
28		associations similar to the association created by this Article; and (iv			
29		persons are not eligible for coverage by the associations. associations;	/		
30	<u>(3</u> )		s are		
31		deceased) under structured settlement annuities if the payees are resider			
32		this State, regardless of where the contract owners of the struc			
33		settlement annuities reside; and			
34	<u>(4</u> )	) To persons who are payees (or beneficiaries of payees if the payee	s are		
35		deceased) under structured settlement annuities if the payees are	not not		
36		residents of this State, but only under both of the following conditions:			



	General Assembly of North Carolina Session 200			
1	<u>a.</u>	The contract owners of the structured settlement annuities are		
2		residents of this State or, if not residents of this state, (i) the insurers		
3		that issued the structured settlement annuities are domiciled in this		
4		State and (ii) the state in which the contract owners reside has an		
5		association similar to the Association created by this Article.		
6	<u>b.</u>	Neither the payees (or beneficiaries of payees if the payees are		
7		deceased) nor the contract owners of the structured settlement		
8		annuities are eligible for coverage by an association of the state in		
9		which the payees or contract owners reside."		
10	SECTION 3.	This act is effective when it becomes law and applies to claims		
11		e Guaranty Association on or after that date.		