

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 301
HOUSE BILL 655

AN ACT TO EXTEND PROFESSIONAL LIABILITY INSURANCE COVERAGE
TO COMMUNITY COLLEGES AND TECHNICAL COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-27.23 reads as rewritten:

"§ 58-27.23. **Professional liability insurance for State officials.**—(a) The Commission may acquire professional liability insurance covering the officers and employees, or any group thereof, of any State department, institution or ~~agency.~~ agency or any community college or technical college. Premiums for such insurance shall be paid by the requesting department, ~~institution or agency,~~ institution, agency, community college or technical college at rates established by the Commission, from funds made available to such department, ~~institution or agency~~ institution, agency, community college or technical college for the purpose.

(b) The Commission, pursuant to this section, may acquire professional liability insurance covering the officers and employees, or any group thereof, of a department, institution or agency of State government or a community college or technical college only if the coverage to be provided by such policy is in excess of the protection provided by Articles 31 and 31A of General Statutes Chapter 143.

(c) The purchase, by any State department, ~~institution or agency~~ institution, agency, community college or technical college of professional liability insurance covering the law-enforcement officers, officers or employees of such department, ~~institution or agency~~ institution, agency, community college or technical college shall not be construed as a waiver of any defense of sovereign immunity by such department, ~~institution or agency.~~ institution, agency, community college or technical college. The purchase of such insurance shall not be deemed a waiver by any employee of the defense of sovereign immunity to the extent that such defense may be available to him.

(d) The payment, by any State department, ~~institution or agency~~ institution, agency, community college or technical college of funds as premiums for professional liability insurance through the plan provided herein, covering the law-enforcement officers or officials or employees of such department, ~~institution or agency~~ institution, agency, community college or technical college is hereby declared to be for a public purpose."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 8th day of June, 1987.