

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 369

Short Title: Amusement Device Insurance.

(Public)

Sponsors: Representative Warner.

Referred to: Insurance.

March 7, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A RISK-SHARING PLAN TO PROVIDE INSURANCE
2 COVERAGE FOR AMUSEMENT DEVICES.
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Whereas, the General Assembly finds that the public health, safety, and well-being requires that amusement devices open to the public be insured against liability arising out of their ownership, operation, maintenance, or use for injury to persons and property and therefore mandates owners of amusement devices to purchase insurance coverage pursuant to Article 14B of Chapter 95 of the General Statutes; and

Whereas, the General Assembly finds that there is an apparent shortage of adequate insurance coverage for amusement devices owned and operated in North Carolina in the voluntary market of licensed insurance providers; and

Whereas, the General Assembly finds that a lack of insurance coverage by solvent, credible insurance companies licensed in the State may have the practical effect of exposing the public to amusement devices that have inadequate, if any, coverage; Now, therefore,

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 42 of Chapter 58 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 58-42-7. Amusement device plan.**

1 The Commissioner, pursuant to this Article, shall promulgate a risk-sharing plan to
2 provide insurance coverage for all amusement device risks in the State that are required
3 by law to obtain, but are otherwise unable to obtain, insurance coverage. The risk-
4 sharing plan shall provide insurance against liability arising out of the ownership,
5 operation, maintenance, and use of amusement devices for bodily injury, including death,
6 and property damage in the amounts required in Article 14B of Chapter 95 of the General
7 Statutes. The plan shall be adopted in accordance with this Article and the Commissioner
8 shall report on the status of the plan to the General Assembly prior to July 1, 1995."

9 Sec. 2. G.S. 58-42-55 reads as rewritten:

10 **"§ 58-42-55. Expiration.**

11 This Article shall expire on ~~July 1, 1995.~~ July 1, 1997."

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