

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 851

Short Title: Register of Deeds Insurance.

(Public)

Sponsors: Representatives Redwine; Bowman and Warner.

Referred to: Commerce.

April 17, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT TO THE EXTENT A COUNTY PROVIDES LIABILITY INSURANCE TO COUNTY OFFICERS OR EMPLOYEES IT SHALL PROVIDE LIABILITY INSURANCE TO THE REGISTER OF DEEDS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 161 of the General Statutes is amended by adding a new section to read:

§ 161-4.2. Liability insurance for register of deeds.

(a) To the same extent that the county provides insurance to other county officers or employees, pursuant to G.S. 153A-97 and 160A-167, or 58-32-10, the county shall provide insurance to the register of deeds. If the county does not provide insurance to any officers or employees, then the county shall notify the register of deeds, in writing, prior to the first Monday in December of each year, of its intent not to provide insurance coverage to the register of deeds. This required notification shall be in the form of a letter signed by the chairman of the board of county commissioners, attested by the clerk of the board of county commissioners, and sealed with the county seal. If the county fails to provide the required notice, then the county shall be liable for damages that would have been paid had the county purchased the insurance pursuant to the General Statutes sections cited above.

1 (b) Providing liability insurance by the county to the register of deeds shall not
2 be construed to be a waiver of any defense or a waiver of sovereign immunity by the
3 county or the register of deeds."

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