GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2007

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HOUSE BILL 1521

Short Title:	Allow Stacking/Uninsured & Underinsured Ins.	(Public)
Sponsors:	Representative Faison.	
Referred to:	Insurance.	

April 17, 2007

A BILL TO BE ENTITLED

AN ACT TO ALLOW INTERPOLICY STACKING OF UNDERINSURED AND UNINSURED MOTORIST COVERAGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-279.21 is amended by adding the following new subsection to read:

"(m) Notwithstanding any other law to the contrary, if a claimant is legally entitled to recover damages from the owner or operator of an uninsured motor vehicle, the limit of motorist coverage applicable to the claimant shall be determined by adding the highest limit available under the uninsured motorist coverage to the highest limit available under the underinsured motorist coverage available under that person's policy or policies for a total limit that is the sum of both coverage limits so that the claimant receives the full benefit of both coverages. If the claimant is an insured under the uninsured or underinsured motorist coverage on separate or additional policies, the limit of motorist coverage applicable to the claimant is determined by combining the highest limit available for both uninsured and underinsured motorist coverage under each policy. If a claimant is legally entitled to recover damages from the owner or operator of an underinsured motor vehicle, the limit of motorist coverage applicable to the claimant shall be determined by adding the highest limit available under the underinsured motorist coverage available under that person's policy or policies to the coverage amount available under the policy of the owner or operator of the underinsured motor vehicle so that the motorist coverage available to the claimant is not diminished by the policy of the owner or operator of the underinsured motor vehicle. This subsection applies only to insurance on nonfleet private passenger motor vehicles as described in G.S. 58-40-10."

SECTION 2. This act becomes effective January 1, 2008, and applies to policies issued or renewed on or after that date.