

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-130  
HOUSE BILL 964**

AN ACT TO EXPAND THE DISCRETIONARY POWERS OF THE INSURANCE  
GUARANTY ASSOCIATION TO ALLOW IT TO CONTRACT AS A SERVICING  
FACILITY FOR OTHER ENTITIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 58-48-35(b) reads as rewritten:

**"§ 58-48-35. Powers and duties of the Association.**

...

(b) The Association may:

- (1) Employ or retain such persons as are necessary to handle claims and perform other duties of the Association.
- (2) Borrow funds necessary to effect the purposes of this Article in accord with the plan of operation.
- (3) Sue or be sued.
- (4) Negotiate and become a party to such contracts as are necessary to carry out the purpose of this Article.
- (5) Perform such other acts as are necessary or proper to effectuate the purpose of this Article.
- (6) Refund to the member insurers in proportion to the contribution of each member insurer to that account that amount by which the assets of the account exceed the liabilities if, at the end of any calendar year, the board of directors finds that the assets of the Association in any account exceed the liabilities of that account as estimated by the board of directors for the coming year.
- (7) Be designated or may contract as a servicing facility for any entity which may be recommended by the Association's board of directors and approved by the Commissioner of Insurance.

**SECTION 2.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 10<sup>th</sup> day of June, 2009.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 11:40 a.m. this 19<sup>th</sup> day of June, 2009

