



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 229

AMENDMENT NO. 4  
(to be filled in by  
Principal Clerk)

S229-ATA-15 [v.1]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [YES]  
Third Edition

Date 6-12, 2012

*W. Harrison*  
*6/12/12*  
*W. Harrison*

Representative Harrison

1 moves to amend the bill on page 2, lines 23 and 24  
2 by rewriting those lines to read:

*as amended by amendment #3*

3  
4 "COMMISSION; (23) AMEND THE DEFINITION OF INSURABLE PROPERTY FOR THE  
5 PURPOSES OF ESSENTIAL PROPERTY INSURANCE FOR BEACH AREA  
6 PROPERTY; AND (24) MAKE TECHNICAL AND CONFORMING CHANGES TO  
7 ENVIRONMENTAL AND NATURAL RESOURCES LAWS.";

8  
9 on page 19, lines 41 and 42, by inserting between those lines a new Part XXIV to read:

10  
11 "PART XXIV. AMEND THE DEFINITION OF INSURABLE PROPERTY FOR THE  
12 PURPOSES OF ESSENTIAL PROPERTY INSURANCE FOR BEACH AREA  
13 PROPERTY

14  
15 SECTION 30. G.S. 58-45-5(5) reads as rewritten:

16 "(5) Insurable property. – Real property at fixed locations in the beach and  
17 coastal area, including travel trailers when tied down at a fixed location, or  
18 the tangible personal property located therein, but shall not include insurance  
19 on motor vehicles; which property is determined by the Association, after  
20 inspection and under the criteria specified in the plan of operation, to be in  
21 an insurable condition. However, any one and two family dwellings built in  
22 substantial accordance with the Federal Manufactured Home Construction  
23 and Safety Standards, any predecessor or successor federal or State  
24 construction or safety standards, and any further construction or safety  
25 standards promulgated by the association and approved by the  
26 Commissioner, or the North Carolina Uniform Residential Building Code  
27 and any structure or building built in substantial compliance with the North  
28 Carolina State Building Code, including the design-wind requirements,  
29 which is not otherwise rendered uninsurable by reason of use or occupancy,  
30 shall be an insurable risk within the meaning of this Article. However, none  
31 of the following factors shall be considered in determining insurable  
32 condition: neighborhood, area, location, environmental hazards beyond the



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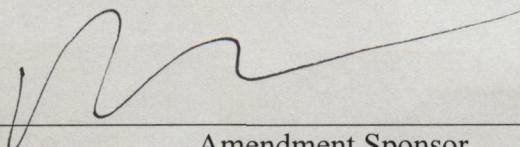
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1 control of the applicant or owner of the property. Also, any structure begun  
2 on or after January 1, 1970, not built in substantial compliance with the  
3 Federal Manufactured Home Construction and Safety Standards, any  
4 predecessor or successor federal or State construction or safety standards,  
5 and any further construction or safety standards promulgated by the  
6 association and approved by the Commissioner, or the North Carolina  
7 Uniform Residential Building Code or the North Carolina State Building  
8 Code, including the design-wind requirements therein, shall not be an  
9 insurable risk. The owner or applicant shall furnish with the application  
10 proof in the form of a certificate from a local building inspector, contractor,  
11 engineer or architect that the structure is built in substantial accordance with  
12 the Federal Manufactured Home Construction and Safety Standards, any  
13 predecessor or successor federal or State construction or safety standards,  
14 and any further construction or safety standards promulgated by the  
15 association and approved by the Commissioner, or the North Carolina  
16 Uniform Residential Building Code or the North Carolina State Building  
17 Code; however, an individual certificate shall not be necessary where the  
18 structure is located within a political subdivision which has certified to the  
19 Association on an annual basis that it is enforcing the North Carolina  
20 Uniform Residential Building Code or the North Carolina State Building  
21 Code and has no plans to discontinue enforcing these codes during that year.  
22 A family dwelling constructed after August 11, 2009 as a result of a  
23 development permit for the replacement of a single family or duplex  
24 residential dwelling damaged by a named storm as defined under this section  
25 or by erosion related activity that is not in compliance with the rules adopted  
26 pursuant to G.S. 113A-107 shall not be considered insurable property under  
27 this Article." "; and

28  
29 by renumbering the remaining Part and section accordingly.

SIGNED   
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

*Withdrawn  
6-12-12  
T. White*