

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 123
PROPOSED COMMITTEE SUBSTITUTE S123-PCS45191-CJ-2

Short Title: Certificate of Insurance Clarifications.

(Public)

Sponsors:

Referred to:

February 20, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT INDIVIDUALS FROM KNOWINGLY PREPARING, ISSUING,
3 REQUESTING, OR REQUIRING A CERTIFICATE OF INSURANCE THAT INCLUDES
4 INFORMATION NOT IN THE UNDERLYING INSURANCE POLICY AND TO
5 CREATE A CIVIL PENALTY FOR ITS VIOLATION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 58-3-149 reads as rewritten:

8 "**§ 58-3-149. Certificates of insurance.**

9 ...

10 (c) It is unlawful for any person to knowingly prepare, issue, request, or require a
11 certificate of insurance that meets any of the following criteria:

12 ...

13 (4) Includes information not contained in the underlying insurance policy.

14 (d) Any person not otherwise subject to regulation under Chapter 58 of the General
15 Statutes who prepares, issues, requests, or requires a certificate of insurance that meets the criteria
16 of subdivision ~~(2) or (3)~~ (2), (3), or (4) of subsection (c) of this section is subject to a civil penalty
17 of up to five thousand dollars (\$5,000). The clear proceeds of the penalty shall be remitted to the
18 Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. Payment of the civil
19 penalty under this section shall be in addition to payment of any other penalty for a violation of
20 the criminal laws of this State.

21"

22 **SECTION 2.** This act becomes effective October 1, 2023.



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