GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 1083
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30557-LRa-159

Short Title:	Voluntary Portable Benefits Plan Act.	(Public)
Sponsors:	Representative Reeder.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO ENACT THE VOLUNTARY PORTABLE BENEFITS PLAN ACT AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 66 of the General Statutes is amended by adding a new Article to read:

"Article 52.

"Voluntary Portable Benefits Plan Act.

"**§ 66-515. Title; definitions.**

(a) This Article shall be known and may be cited as the "Voluntary Portable Benefits Plan Act."

(b) The following definitions apply in this Article:

(1) Bank. – A state bank, national bank, out-of-state state-chartered bank, and any foreign bank organized under the laws of a territory of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, with deposits insured by the Federal Deposit Insurance Corporation.

(2) Hiring party. – A person or entity who hires or enters into a contract with an independent contractor.

(3) Portable benefit account. – An account owned by an independent contractor to fund the purchase of one or more benefit plans.

(4) Portable benefit account provider. – The administrator of a portable benefit account, including the following:

a. A bank.

b. An investment management firm.

c. A technology provider or program manager that offers services through a bank or investment management firm.

d. Any other person who demonstrates to the satisfaction of the Commissioner of Labor that the manner in which the person will administer the portable benefit account will be consistent with the portable benefit account requirements under this Article.

(5) Portable benefit plan. – A benefit plan that is:

a. Administered by a third-party benefit plan provider chosen by the independent contractor and assigned to a beneficiary rather than to a hiring party; and

b. Includes, but is not limited to, the following:

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1. Health insurance.
2. Unemployment insurance.
3. Income replacement insurance.
4. Disability insurance.
5. Life insurance.
6. Retirement benefits.

"**§ 66-516. Administration of voluntary portable benefit plan.**

(a) Any person or entity, whether public or private, including an internet or application-based company, may voluntarily contribute funds to a portable benefit account for an independent contractor.

(b) Contributions by a hiring party to any portable benefit account shall not be treated as evidence that a worker is an employee of the hiring party under State unemployment insurance, worker's compensation, taxation, or labor laws.

(c) Contributions to a portable benefit account may be made using either:

(1) The funds of the hiring party; or

(2) A percentage of funds withheld from the compensation owed to an independent contractor if all of the following conditions are met:

a. The withholding of compensation is expressly agreed to in writing.

b. The written agreement is clear, unambiguous, and prominently displayed either in a work contract or a separate invoice.

c. The withholdings are voluntary and require the independent contractor to opt in.

d. The independent contractor may choose to opt out of such withholdings at any time.

"**§ 66-517. Tax implications.**

(a) A hiring party that contributes funds to a portable benefit plan under this Article may deduct as a business expense an amount equal to one hundred percent (100%) of the amount contributed during the applicable tax year.

(b) An independent contractor may exclude from taxable income an amount equal to one hundred percent (100%) of the amount contributed by a hiring party under this Article during the applicable tax year."

SECTION 2. Effective July 1, 2026, there is appropriated from the General Fund to the Department of Labor the sum of one hundred thousand dollars ($100,000) during the 2026-2027 fiscal year to educate the general public about the provisions of this act.

SECTION 3. This act becomes effective July 1, 2026.