

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 1926

Short Title: Workers' Comp. Tax/Assessment.

(Public)

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Sponsors: Representative Anderson.

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Referred to: Commerce.

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May 10, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE USE OF EXPERIENCE MODIFIERS IN  
CALCULATING AN INDIVIDUAL SELF-INSURED WORKERS'  
COMPENSATION PREMIUM TAXES AND TO INCREASE THE  
ASSESSMENT PERCENTAGE FOR THE STOCK AND MUTUAL WORKERS'  
COMPENSATION SECURITY FUNDS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 97-100(j) reads as rewritten:

"(j) Every employer carrying his own risk under the provisions of G.S. 97-93 shall, under oath, report to the Commissioner of Insurance his payroll, subject to the provisions of this Article. Such report shall be made in form prescribed by the Commissioner of Insurance, and at the times herein provided for premium reports by insurer. The Commissioner of Insurance shall assess against such payroll a maintenance fund tax computed by taking such percent of the basic premiums charged against the same or most similar industry or business taken from the manual insurance rate then in force in this State as is assessed in the Revenue Act against the insurance carriers for premiums collected on compensation insurance policies. However, an employer may use an experience modifier in calculating its premium tax liability under this section. Receipts collected under this subsection shall be deposited to the credit of the State Treasurer as general fund revenue."

Sec. 2. G.S. 97-109 reads as rewritten:

**"§ 97-109. Contributions by stock carriers of ~~1%~~2% of net written premiums.**

For the privilege of carrying on the business of workers' compensation insurance in this State, every stock carrier shall pay into the stock fund on the first day of September,

1 1935, a sum equal to ~~one per centum (1%)~~ two per centum (2%) of its net written  
2 premiums as shown by the return hereinbefore prescribed for the period ending June 30,  
3 1935, and thereafter each such stock carrier, upon filing each semiannual return, shall  
4 pay a sum equal to ~~one per centum (1%)~~ two per centum (2%) of its net written premiums  
5 for the period covered by such return."

6 Sec. 3. G.S. 97-116 reads as rewritten:

7 "**§ 97-116. Contributions by mutual carriers of ~~1%~~ 2% of net written premiums.**

8 For the privilege of carrying on the business of workers' compensation insurance in  
9 this State, every mutual carrier shall pay into the mutual fund on the first day of  
10 September, 1935, a sum equal to ~~one per centum (1%)~~ two per centum (2%) of its net  
11 written premiums, as shown by the return hereinbefore prescribed for the period ending  
12 June 30, 1935, and thereafter each such mutual carrier, upon filing each semiannual  
13 return, shall pay a sum equal to ~~one per centum (1%)~~ two per centum (2%) of its net  
14 written premiums, as shown for the period covered by such return."

15 Sec. 4. Section 1 of this act is effective for taxable years beginning January  
16 1, 1990; the remaining sections are effective upon ratification.