

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 807

Short Title: Homeowners' Insurance Policies.

(Public)

Sponsors: Senator Soles.

Referred to: Insurance.

April 6, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR COVERAGE FOR OFF-PREMISES BODILY INJURY AND DEATH UNDER HOMEOWNERS POLICIES.

The General Assembly of North Carolina enacts:

Section 1. Article 19 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"§ 58-180.4. Homeowners' policies; off-premises coverage for bodily injury and death.

(a) As used in this section, 'bodily injury' means bodily harm, sickness, or disease, including required care, loss of services, and death that results.

(b) Every homeowners' policy issued or renewed on and after October 1, 1989, shall provide coverage for bodily injury suffered by any named insured while away from the location insured by the policy.

(c) If the injury is the proximate cause of the negligence of the owner of the premises on which the injury occurred, the homeowners' policy of the injured person shall provide for coverage for the injury up to the amount of liability coverage in the policy. The homeowners' insurer shall have a right of subrogation against the negligent owner.

(d) If the injury is the proximate cause of the negligence of the injured party, the homeowners' policy of the injured party shall provide for coverage for the injury up to the amount of medical payments coverage in the policy."

Sec. 2. This act is effective upon ratification.