

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
COMMISSIONER OF INSURANCE

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)  
) FIRST AMENDED  
) COMMISSIONER'S ORDER  
) EXTENDING DEADLINES  
)  
) N.C. Gen. Stat. § 58-2-47  
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**WHEREAS**, pursuant to N.C. Gen. Stat. § 58-2-47, if a state of emergency or disaster has been proclaimed under N.C. Gen. Stat. §§ 166A-19.20 or 166A-19.21 or declared under the Stafford Act, or whenever an incident beyond the Department's reasonable control, including an act of God, insurrection, strike, fire, power outage, or systematic technological failure, substantially affects the daily business operations of the Department, the Commissioner may issue an order to stay the application of any deadlines and deemer provisions imposed by law or rule upon the Commissioner or Department or upon persons subject to the Commissioner's jurisdiction, which deadlines and deemer provisions would otherwise operate during the time period for which the operations of the Department have been substantially affected; and

**WHEREAS**, on March 10, 2020, the Governor of North Carolina issued Executive Order No. 116, which, pursuant to N.C. Gen. Stat. §§ 166A-19.10 and 166A-19.20, declares a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and to provide for the health, safety, and welfare of residents and visitors located in North Carolina ("Declaration of a State of Emergency"); and

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and

**WHEREAS**, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 pandemic in the United States constitutes a national emergency, retroactive to March 1, 2020; and

**WHEREAS**, on March 25, 2020, the President of the United States, pursuant to Section 401 of the Stafford Act, approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina.

**WHEREAS**, on March 31, 2020, pursuant to the authority vested in me as Commissioner of Insurance for the State of North Carolina by N.C. Gen. Stat. § 58-2-47, I issued an ORDER extending certain deadlines for professional bondsmen, surety bondsmen and runners regulated by the Department pursuant to Article 71 of Chapter 58 of the North Carolina General Statutes, such order being effective for 30 days.

**WHEREAS**, pursuant to N.C. Gen. Stat. § 58-2-47, such ORDER may be renewed for successive periods not exceeding 30 days each for as long as the operations of the Department remain substantially affected, up to a period of one year from the effective date of the initial order.

**WHEREAS**, the state of disaster caused by the COVID-19 public health emergency continues to affect the operations of the Department and of the licensees regulated by the Department.

**NOW THEREFORE**, pursuant to the authority vested in me as Commissioner of Insurance for the State of North Carolina by N.C. Gen. Stat. § 58-2-47, **IT IS ORDERED AND DECLARED:**

1. Professional bondsmen, surety bondsmen and runners are regulated by the Department pursuant to Article 71 of Chapter 58 of the North Carolina General Statutes (“the Act”).

2. Pursuant to N.C. Gen. Stat. § 58-71-40, professional bondsmen, surety bondsmen and runners (collectively referred to as “licensees”) are required to be licensed by the Department.

3. Pursuant to N.C. Gen. Stat. § 58-71-75, the license for every licensee expires on June 30<sup>th</sup> of each even-numbered year and must be renewed in accordance with certain statutory requirements.

4. Pursuant to N.C. Gen. Stat. § 58-71-75(b), in each even-numbered year, licensees are required to submit the following information in order to renew their licenses:

a. A renewal application containing all of the following:

i. Proof that the applicant is a resident of this State as

required by N.C. Gen. Stat. § 58-71-50(c).

- ii. Proof that the applicant meets the qualifications set out in N.C. Gen. Stat. §§ 58-71-50(b)(5) through 58-71-50(b)(7).
  - iii. The information required by N.C. Gen. Stat. § 58-2-69.
- b. The biennial renewal fee required by N.C. Gen. Stat. § 58-71-75(d).


5. In addition, during every other biennial license renewal cycle, licensees are required to submit to the Department a complete set of fingerprints and a fee to cover the cost of conducting a criminal history record check. This is the year that fingerprints are required to be submitted by all licensees.

6. The current COVID-19 pandemic has caused a severe disruption of the daily business operations of the Department. In addition, the daily business operations of the licensees regulated by the Department, and that of certain third-parties that the licensees are required to interact with in order to complete the license renewal process, have been severely disrupted.

7. Therefore, effective immediately, the expiration date of the license of every current licensee is hereby stayed until August 30, 2020.

8. The Commissioner will continue to monitor the situation and may extend the deadline accordingly pursuant to N.C. Gen. Stat. § 58-2-47, or may otherwise modify this order as needed.

This the 30<sup>th</sup> day of April, 2020.

  
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Mike Causey  
Commissioner of Insurance