



CHAPTER 143
ARTICLE 31 - TORT CLAIMS AGAINST STATE DEPARTMENTS AND AGENCIES

N.C.G.S. § 143-291.

Industrial Commission constituted a court to hear and determine claims; damages; liability insurance in lieu of obligation under Article.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2023-134, s. 31.1(a) — twenty-fourth act in the lineage	RETRIEVED 21 September 2026, 04:17 UTC	SOURCE FINGERPRINT 42ea6c649df328067787f778 - 5db9fc26577b04faf9bb4f4c - eff25cc0a656276b
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§ 143-291(a)

The North Carolina Industrial Commission is hereby constituted a court for the purpose of hearing and passing upon tort claims against the State Board of Education, the Board of Transportation, and all other departments, institutions and agencies of the State. The Industrial Commission shall determine whether or not each individual claim arose as a result of the negligence of any officer, employee, involuntary servant or agent of the State while acting within the scope of his office, employment, service, agency or authority, under circumstances where the State of North Carolina, if a private person, would be liable to the claimant in accordance with the laws of North Carolina. If the Commission finds that there was negligence on the part of an officer, employee, involuntary servant or agent of the State while acting within the scope of his office, employment, service, agency or authority that was the proximate cause of the injury and that there was no contributory negligence on the part of the claimant or the person in whose behalf the claim is asserted, the Commission shall determine the amount of damages that the claimant is entitled to be paid, including medical and other expenses, and by appropriate order direct the payment of damages as provided in subsection (a1) of this section, but in no event shall the amount of damages awarded exceed the amounts authorized in G.S. 143-299.2 cumulatively to all claimants on account of injury and damage to any one person arising out of a single occurrence. Community colleges and technical colleges shall be deemed State

agencies for purposes of this Article. The fact that a claim may be brought under more than one Article under this Chapter shall not increase the foregoing maximum liability of the State.

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| § 143-291(a1) | The unit of State government that employed the employee at the time the cause of action arose shall pay the first one hundred fifty thousand dollars (\$150,000) of liability, and the balance of any payment owed shall be paid in accordance with G.S. 143-299.4. |
| § 143-291(b) | If a State agency, otherwise authorized to purchase insurance, purchases a policy of commercial liability insurance providing coverage in an amount at least equal to the limits of the State Tort Claims Act, such insurance coverage shall be in lieu of the State's obligation for payment under this Article. |
| § 143-291(c) | Repealed by Session Laws 2021-184, s. 2(e), effective July 1, 2022. |
| § 143-291(d) | Liability in tort of the State Health Plan for Teachers and State Employees for noncertifications as defined under G.S. 58-50-61 shall be only under this Article. |
| § 143-291(e) | This Article provides the sole and exclusive remedy for any claim that arises as a result of the negligence of any officer, employee, involuntary servant, or agent of the State while acting within the scope of his office, employment, service, agency, or authority, and the North Carolina Industrial Commission is the sole and exclusive forum for hearing any such claims. Any such claims filed in any other forum arising out of or relating to the same subject matter against the officer, employee, involuntary servant, or agent of the State is precluded. |

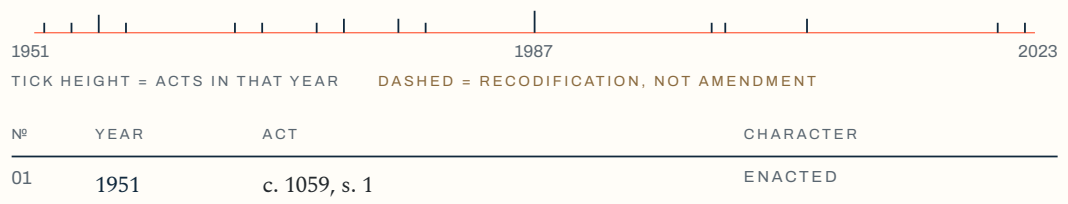
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
24 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



02	1953	c. 1314	AMENDED
03	1955	c. 400, s. 1	AMENDED
04	1955	c. 1102, s. 1	AMENDED
05	1955	c. 1361	AMENDED
06	1957	c. 65, s. 11	AMENDED
07	1965	c. 256, s. 1	AMENDED
08	1967	c. 1206, s. 1	AMENDED
09	1971	c. 893, s. 1	AMENDED
10	1973	c. 507, s. 5	AMENDED
11	1973	c. 1225, s. 1	AMENDED
12	1977	c. 464, s. 34	AMENDED
13	1977	c. 529, ss. 1, 2	AMENDED
14	1979	c. 1053, s. 1	AMENDED
15	1987	c. 684, s. 1	AMENDED
16	1987	1987 (Reg. Sess., 1988), c. 1087, s. 1	AMENDED
17	1987	1993 (Reg. Sess., 1994), c. 769, s. 19.33(a)	AMENDED
18	1987	c. 777, s. 5(a)	AMENDED
19	2000	S.L. 2000-67, ss. 7A(a), 7A(b)	AMENDED
20	2001	S.L. 2001-446, s. 5(f)	AMENDED
21	2007	S.L. 2007-323, s. 28.22A(o)	AMENDED
22	2007	S.L. 2007-345, s. 12	AMENDED
23	2021	S.L. 2021-184, s. 2(e)	AMENDED
24	2023	S.L. 2023-134, s. 31.1(a)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 143-299.2	(a)	"awarded exceed the amounts authorized in"
G.S. 143-299.4	(a1)	"shall be paid in accordance with"

G.S. 58-50

(d)

"Employees for noncertifications as defined under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-291 (2023).

PINPOINT

N.C. Gen. Stat. § 143-291(a) (2023).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1951, c. 1059, s. 1; 1953, c. 1314; 1955, c. 400, s. 1; c. 1102, s. 1; c. 1361; 1957, c. 65, s. 11; 1965, c. 256, s. 1; 1967, c. 1206, s. 1; 1971, c. 893, s. 1; 1973, c. 507, s. 5; c. 1225, s. 1; 1977, c. 464, s. 34; c. 529, ss. 1, 2; 1979, c. 1053, s. 1; 1987, c. 684, s. 1; 1987 (Reg. Sess., 1988), c. 1087, s. 1; 1993 (Reg. Sess., 1994), c. 769, s. 19.33(a); c. 777, s. 5(a); 2000-67, ss. 7A(a), 7A(b); 2001-446, s. 5(f); 2007-323, s. 28.22A(o); 2007-345, s. 12; 2021-184, s. 2(e); 2023-134, s. 31.1(a).)

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