

GEN-BR Instr. Surety Bond Rider - Tax Liability Rider or Name Change Rider

Instructions

1. **Bond No.:** Enter the bond number issued by the Surety Company that is to be amended.
 2. **Principal Name:** Enter the legal name of the individual, partnership, corporation, or limited liability company (“LLC”) who is required to furnish the bond. The name must be entered in accordance with the following:
 - **Individual Principal:** If the Principal is an individual (sole proprietor), and is not incorporated or otherwise registered with the North Carolina Secretary of State or a state’s equivalent, the individual must enter his or her legal name. The legal name of an individual principal is the name as listed on a birth certificate or state issued identity card, such as a driver’s license.
 - **Partnership Principal:** If the Principal is a general partnership, the Principal must enter the legal name of the partnership. The legal name of the partnership is the legal names of all partners followed by the partnership name as indicated in the Partnership Agreement. If the Principal is a limited liability partnership, the legal name of the Principal is the name as shown in the Certificate of Limited Partnership or a state’s equivalent.
 - **Corporation / LLC Principal:** If the Principal is a corporation or an LLC, the Principal must enter the legal name of the corporation or LLC as indicated in the Articles of Incorporation or Articles of Organization.
 - **NOTE:** If the Principal is registered with the North Carolina Secretary of State or a state equivalent, the Principal name must match the registered name EXACTLY. Please include all apostrophes, commas, periods, spaces, ampersands, and other characters included in the legal name of the entity.
 3. **Surety Company:** Enter the legal name of the Surety Company underwriting the bond. This name must match the name as registered with the North Carolina Department of Insurance.
 4. **Effective Date of Original Bond.** Enter the effective date of the bond to be amended. If the bond has already been amended by a rider, enter the effective date of the original bond.
 5. **Bond Tax Type.** Mark the tax type that is applicable to the underlying bond. The bond will apply to either: (1) alcoholic beverages; (2) tobacco products – cigarettes; (3) tobacco products – other than cigarettes; or (3) motor fuel or alternative fuel. A bond cannot cover more than one tax type, therefore only one tax type should be designated.
 6. **Designate the Type of Amendment & Enter Information.** Principal or Surety must designate and enter the required information regarding the amendment in accordance with the following:
 - **Change in Tax Liability (Bond) Amount:** If the rider is amending the tax liability (bond) amount, check the box to designate that the rider is amending the bond amount and enter all of the following information:
 - The amount of the bond that is currently in effect. If there has been more than one rider changing the bond amount, enter the bond amount from the most recent rider.
 - The amount of the new bond. It must be spelled out in word format and followed by the numeric value.
 - The effective date the rider will go into effect.
- AND / OR**
- **Change Name of Principal:** If the rider is amending the name of the Principal, check the box to designate that the rider is amending the name of the Principal and enter the following information:
 - The name of the Principal as it was entered on the bond or rider to be amended.
 - The new name of the Principal, which is applicable to name changes and conversions.
 - The effective date the rider will go into effect.
7. **Signed, Sealed and Delivered Date:** Enter the date the bond is executed (signed by all parties). This date must match the execution date indicated on the attached Surety’s Power of Attorney.

8. **Surety Name:** Enter the legal name of the Surety Company. The name must match exactly as entered previously on the form. See item #3 above.
9. **Signature and Printed Name of Attorney-in-Fact for Surety:** The Surety's Attorney-In-Fact must sign to the left of the words "as Attorney in Fact" and print his or her name on the line below. This individual's name must appear in the attached Power of Attorney.
10. **Surety Corporate Seal:** The Surety Company must indicate that it has affixed its seal to this form. Upon the word "SURETY SEAL" the Surety Company must affix its corporate seal. The seal must be affixed by applying a raised seal (embossed), original ink seal, or foil seal. The name on the seal must be readable.
11. **Principal Name:** Enter the legal name of the Principal. The name must match exactly as entered previously on the form. See item #2 above.
12. **Principal Representative Signature, Printed Name, and Title:**
 - **Individual Principal:** If the Principal is an individual (sole proprietor), and is not incorporated or otherwise registered with the North Carolina Secretary of State or a state's equivalent, the individual must sign his or her legal name. Below the signature line, the individual must print his or her name, and the individual must print his or her title. An example title for an individual principal is "Owner."
 - **Partnership Principal:** If the Principal is a general partnership, a general partner must sign his or her legal name. Below the signature line, the general partner must print his or her name, and the general partner must print his or her title. An example title for a partnership principal is "General Partner."
 - **Corporation / LLC Principal:** If the Principal is a corporation or LLC, the Principal must enter the signature, printed name, and title as follows:
 - **Corporation:** Only a corporate officer who is authorized to legally bind the corporation may sign. This includes a president, vice-president, or treasurer. Below the signature line, the signing corporate officer must print his or her name and title held at the corporation. If a corporation's Bylaws or Board of Directors have appointed specific corporate officials the ability to act on behalf of the corporation, a copy of the bylaw, board resolution, or other corporate document must accompany the bond.
 - **LLC:** Any member of an LLC may sign the bond. Below the signature line, the signing member must print the member's name and print the member's title. An example title for an LLC is "Member."
 - **Foreign Corporation or LLC:** If the Corporation or LLC is organized in a state other than North Carolina, the entity must be authorized to transact business in North Carolina. This does not apply to a Principal who holds a nonresident malt beverage vendor or nonresident wine vendor permit.
 - **NOTE:** If the North Carolina Secretary of State or a state equivalent does not reflect that the person signing the bond has the authority to sign the bond, a copy of the bylaws, board resolution, member resolution, or other similar document must accompany the bond.
13. **Affix Principal's Corporate Seal or Notarize Principal Representative Signature.** The Principal must either: (1) affix the Principal's corporate seal; or (2) sign the bond and have his or her signature acknowledged by a notary in accordance with the following:
 - **Affix Principal Seal:** If a corporation or LLC affixes its corporate seal, the seal must be affixed upon the word "PRINCIPAL SEAL." The name on the seal must be readable. The seal must be affixed by applying a raised seal (embossed), original ink seal, or foil seal.

OR

- **Notarize Principal Representative Signature:** If the Principal does not affix its corporate seal, the Principal must have its Principal's Representative Signature notarized. The notary must acknowledge the signature and complete the notarial certificate as indicated. This includes entering: the date of acknowledgement; the Principal Representative's name on the line following "by, "; and the notary public's signature, printed name, and date the notary's commission expires. The notary must affix his or his or her seal upon the word "NOTARY SEAL." The notary seal must be affixed by applying a raised seal (embossed) or original ink seal. The name on the seal must be readable.

IMPORTANT: THE BOND MUST BE ACCOMPANIED BY A VERIFIED COPY OF THE AUTHORITY OF THE PERSON EXECUTING THE BOND ON BEHALF OF THE SURETY COMPANY (POWER OF ATTORNEY). THIS DOCUMENT CANNOT BE A PHOTOCOPY AND MUST BE VERIFIED BY AFFIXING A RAISED SEAL (EMBOSSSED), ORIGINAL INK SEAL, OR FOIL SEAL.

Additional Notes for Bond Riders

1. **Corrections:** Any use of whiteout or correction tape will void the bond, and the bond cannot be accepted by the Department. All changes must be initialed by the Principal and the Surety.
2. **Legal Entity Managed Principals:** If the Principal is managed or owned by a legal entity, it is recommended that the Surety Company or Principal contact the Department before submitting the bond. For example, if the Principal is owned or managed by a corporation, additional documentation may be required.
3. **Originals.** Do not send the Department non-original documents or photocopies of the bond. The Department can only approve bonds with original signatures and seals. The Department may accept a copy of a Power of Attorney if a seal has been affixed. Seals must be affixed using a raised seal (embossed), original ink seal, or foil seal.
4. **Surety's Power of Attorney Date:** The "Signed, Sealed and Delivered Date" under item #7 must match the execution date of the Power of Attorney.
5. **Principal Representative Name:** A principal representative's name entered in this document must be the legal name. The legal name of a principal representative's name is the name as listed on a birth certificate or state issued identity card, such as a driver's license. This name must match exactly as provided in the North Carolina Secretary of State or its equivalent, bylaw, board resolution, or member resolution.
6. **Changes or Addendums:** Neither a Principal nor a Surety may modify the bond without the prior written consent of the Department. Changes, amendments, or addendums to the bond will be rejected and may impair the Principal's ability to become licensed or become registered with the Department.
7. **Non-Compliance with Instructions.** If the bond does not conform to the requirements prescribed by these instructions, the bond will be returned for corrections.
8. **Exclusive Form for Tax Liability and Name Changes.** Form GEN-BR must be used for amending the tax liability amount or to the Principal's name. Any amendment purporting to change either of these terms will not be accepted by the Division, and the Division will request the changes be completed on the Form.
9. **Other Amendments to Bond.** If the Principal or Surety are attempting to amend the bond on matters other than the bond amount or name of principal, it is recommended that the Surety Company or Principal contact the Department before submitting a rider.

Sample Surety Bond Rider

A sample surety bond rider is included on page 4 of these instructions. The rider has been annotated by inserting numbers with a red border. These numbers correspond with the instructions provided on pages 1 and 2.

This is provided for illustrative purposes only, and the names of persons used in the bond are fictitious. The seals affixed to the surety bond must be raised (embossed), original ink, or foil. The signatures on the surety bond must be original ink. Electronic reproductions are not acceptable.



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1 AMENDING BOND NO. 123456

2 _____ PRINCIPAL LICENSEE, LLC, ("Principal") and

3 _____ SURETY INSURANCE COMPANY, ("Surety"),

4 previously executed a surety bond effective 01-01-21 in favor of North Carolina, as obligee. The surety bond was issued under the bond number identified above, remains in effect, and is applicable to tax liability for:

5 Alcoholic Beverages Tobacco Products Cigarettes Tobacco Products Other Than Cigarettes Motor Fuel/Alternative Fuel.

The bond identified above is amended as follows:

Change Tax Liability (Bond) Amount

6 The previously issued bond is hereby amending by increasing or decreasing the bond amount from the sum of USD ONE-HUNDRED THOUSAND 00/100 (US\$ 100,000.00) to the sum of USD TWO-HUNDRED FIFTY THOUSAND 00/100 (US\$ 250,000.00). The amended bond amount is applicable to acts or omissions on or after the 1st day of FEBRUARY, 2021.

Change Name of Principal

6 The previously issued bond is hereby amended by changing the name of the Principal from: PRINCIPAL LICENSEE, LLC to PRINCIPAL LICENSEE, INC. (Previous Name) (New Name). The amended Principal's name is effective the 1st day of FEBRUARY, 2021.

This rider will become a part of the bond and does not waive, alter, modify, or terminate any other terms of the bond. Principal or Surety shall send this rider to the North Carolina Department of Revenue for approval after it has been executed.

7 Signed, sealed, and delivered this 1st day of FEBRUARY, 2021.

8	SURETY NAME SURETY INSURANCE COMPANY	PRINCIPAL NAME PRINCIPAL LICENSEE, INC.	11
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9	SURETY REPRESENTATIVE SIGNATURE (SEAL) X <i>Stanley Cupp Jr.</i>	PRINCIPAL REPRESENTATIVE SIGNATURE (SEAL) X <i>Justin Case</i>	12
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9	SURETY REPRESENTATIVE PRINTED NAME STANLEY CUPP JR. As Attorney in Fact	PRINCIPAL REPRESENTATIVE PRINTED NAME JUSTIN CASE	TITLE PRESIDENT	12
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SURETY	PRINCIPAL	NOTARY (IF NO SEAL FOR PRINCIPAL)
<input checked="" type="checkbox"/> Surety declares that the surety's seal is affixed to this form.	<input type="checkbox"/> Principal declares that its seal is affixed to this form.	<input checked="" type="checkbox"/> Principal has not affixed seal; Principal's signature has been notarized below.
10	13	State of <u>North Carolina</u> County of <u>WAKE</u> . This instrument was acknowledged before me on <u>02/01/2021</u> (date) by <u>JUSTIN CASE</u> (name of person acknowledging). <i>Lorry R. Driver</i> Signature of Notary Public LORRY R. DRIVER Printed Name of Notary Public 06-01-25 My Commission expires

Mail to: North Carolina Department of Revenue, Attention: Licensing and Bonding Unit
3301 Terminal Drive, Suite 125, Raleigh, NC 27604