

March 15, 2005

**S 552. DOI HEARING/UNAUTH. INS. SUMMARY C&D ORDER. TO REQUIRE AN UNAUTHORIZED INSURER AGAINST WHICH A SUMMARY CEASE AND DESIST ORDER HAS BEEN ISSUED TO PETITION THE DEPARTMENT OF INSURANCE FOR A HEARING ON THE MATTER BEFORE PETITIONING THE SUPERIOR COURT OF WAKE COUNTY.** Amends GS 58-28-25 and 58-28-20(b) as title indicates. Effective October 1, 2005.

**Intro. by Dalton.**

Ref. to Judiciary II

GS 58

April 19, 2005

**S 552. DOI HEARING/UNAUTH. INS. SUMMARY C&D ORDER.** Intro. 3/15/05. Senate committee substitute makes the following changes to 1st edition. Repeals GS 58-28-25 and amends GS 58-28-20 to incorporate procedures set forth in GS 58-2-75 for judicial review of orders issued by the Comm'r of Insurance. Amends GS 58-28-20(d) to clarify that subsection applies only to emergency orders; to provide that an emergency order becomes effective on the later of the date specified in the order or the date of service of a certified copy of the order; to require that the emergency order include a notice of hearing, that the hearing be conducted under Article 3A, GS Chapter 150B, and that an expedited hearing be granted upon request; and to provide that the emergency order remains in effect during the hearing process. Enacts new GS 58-28-20(e) to provide that after notice and a hearing under subsection (a) or (d), a person ordered to cease and desist from a violation of GS 58-28-5 (transacting business without certificate of authority) may request judicial review of that order under GS 58-2-75. Makes technical changes.

July 25, 2005

**SL 2005-217 (S 552). DOI HEARING/UNAUTHORIZED INSURER SUMMARY C&D ORDER. AN ACT TO PROVIDE AN UNAUTHORIZED INSURER AGAINST WHICH AN EMERGENCY CEASE AND DESIST ORDER HAS BEEN ISSUED TO PETITION THE DEPARTMENT OF INSURANCE FOR A HEARING ON THE MATTER AND TO APPEAL THAT DECISION TO THE SUPERIOR COURT OF WAKE COUNTY.** Summarized in *Daily Bulletin* 3/15/05 and 4/19/05. Enacted July 20, 2005. Effective October 1, 2005.