

April 7, 2009

H 1159. INSURANCE LICENSING CHANGES. Filed 4/7/09. *TO CLARIFY THE LAWS ON INSURANCE BUSINESS ENTITY LICENSES; PROVIDE FOR A "STAGGERED" LICENSE SYSTEM FOR CERTAIN INSURANCE LICENSEES; TO CLARIFY THE LAW ON APPOINTMENTS OF INSURANCE ADJUSTERS; TO PROVIDE FOR ELECTRONIC FILINGS WITH THE DEPARTMENT OF INSURANCE; AND TO CLARIFY THE LAW ON APPOINTMENT OF AGENTS BY INSURANCE COMPANIES.*

Current law provides that a business entity that sells, solicits, or negotiates insurance must be licensed under GS 58-33-31(b). Amends GS 58-33-26(j) to change the expiration date for a business entity license to March 31 of each year (was, April 1) unless the business entity pays the renewal fee.

Amends GS 58-33-125(h) to provide that the fees paid by an insurer on behalf of a person who is licensed or appointed to represent the insurer is to be remitted: (1) in a manner as indicated by the Commissioner of Insurance (Commissioner) at the time of the transaction or (2) on a monthly or quarterly basis at the discretion of the Commissioner.

Amends GS 58-33-125 to authorize the Commissioner to establish a *staggered* system that permits the annual renewal fee for licenses for brokers, adjusters, motor vehicle appraisers, and viatical settlement brokers to be paid on a biennial basis, based on the month and year of birth of each individual licensee. Also authorizes the Commissioner to establish *staggered* license renewal dates for all other license renewals that will serve to apportion renewals throughout the calendar year. Authorizes the Commissioner to prescribe how the license renewal fees are to be paid under the license renewal schedule.

Enacts new GS 58-33-41 to provide the criteria for the appointment of insurance adjusters. Prohibits an individual with a valid insurance adjuster's license from: (1) investigating or reporting to the adjuster's principal concerning claims arising under insurance contracts other than life, health, or annuity or (2) or otherwise acting as an adjuster for an insurer who did not appoint that individual. Permits any insurer authorized to do business in this state to appoint as its adjuster any individual holding a valid adjuster's license issued by the Commissioner. Requires the insurer to file within 30 days all information required by the Commissioner for the insurer's newly appointed adjusters. Directs the insurer to remit the specified appointment fee for each appointed insurer and to remit a renewal fee before April 1 of each year.

Enacts new GS 58-2-250 to authorize the Commissioner to adopt rules that require an applicant for a license or a person holding a license to file documents electronically with the Commissioner or the Commissioner's designee. Permits the Commissioner to charge an administrative fee for electronic filing in addition to any other fee imposed for the filing; however, limits the fee for an electronic filing to the actual cost of the electronic transaction. Defines terms as used in this section.

Amends GS 58-33-40(b) to provide that for purposes of determining the number of appointments for an agent, there is to be one appointment for each kind of insurance for which the appointed agent is licensed in this state, unless specifically limited.

Intro. by Wray, Goforth.

GS 58

April 20, 2009

H 1159. INSURANCE LICENSING CHANGES. Filed 4/7/09. House committee substitute makes the following changes to 1st edition. Deletes Section 2 of the act, which amended GS 58-33-125(h), to provide that the fees paid by an insurer on behalf of a person who is licensed or appointed to represent the insurer are to be remitted: (1) in a manner as indicated by the Commissioner of Insurance (Commissioner) at the time of the transaction or (2) on a monthly or quarterly basis at the discretion of the Commissioner.

Adds to proposed GS 58-33-125(i) that the Commissioner may establish a staggered system that permits the annual renewal fee for surplus line individual licenses, as well as licenses for brokers, adjusters, motor vehicle appraisers, and viatical settlement brokers, to be paid on a biennial basis, based on the month and year of birth of each individual licensee.

Makes a technical change to proposed GS 58-33-41.

Changes the effective date to October 1, 2009 (was, effective when the act becomes law).

May 12, 2009

H 1159. INSURANCE LICENSING CHANGES. Filed 4/7/09. House committee substitute makes the following changes to 2nd edition. Rewrites title as: *AN ACT TO CLARIFY THE LAWS ON INSURANCE BUSINESS ENTITY LICENSES; TO PROVIDE FOR ELECTRONIC FILINGS WITH THE DEPARTMENT OF INSURANCE; AND TO CLARIFY THE LAW ON APPOINTMENT OF AGENTS BY INSURANCE COMPANIES*. Deletes amendments in prior edition to GS 58-33-125 and GS 58-33-41.

August 3, 2009

SL 2009-383 (H 1159). INSURANCE LICENSING CHANGES. *AN ACT TO CLARIFY THE LAWS ON INSURANCE BUSINESS ENTITY LICENSES; TO PROVIDE FOR ELECTRONIC FILINGS WITH THE DEPARTMENT OF INSURANCE; AND TO CLARIFY THE LAW ON APPOINTMENT OF AGENTS BY INSURANCE COMPANIES*. Summarized in *Daily Bulletin* 4/7/09, 4/20/09, and 5/12/09. Enacted July 31, 2009. Effective October 1, 2009.