

Senate Bill 177

By: Senators Harbison of the 15<sup>th</sup>, Kemp of the 3<sup>rd</sup> and Dean of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-5-26 of the Official Code of Georgia Annotated, related to the  
2 endorsement of insurance contract by broker, so as to require that certain surplus lines  
3 policies must provide brochures explaining coverages at the time of application for the  
4 policies; to authorize the promulgation of rules and regulations; to provide for related  
5 matters; to repeal conflicting laws; and for other matters.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 33-5-26 of the Official Code of Georgia Annotated, related to the endorsement  
9 of insurance contract by broker, is amended by striking the Code section in its entirety and  
10 inserting in lieu thereof a new Code Section 33-5-26 to read as follows:

11 "33-5-26.

12 (a) Every insurance contract procured and delivered as a surplus line coverage shall be  
13 initialed by or bear the name of the surplus line broker who procured it and shall have  
14 printed or stamped upon it the following: 'This contract is registered and delivered as a  
15 surplus line coverage under the Surplus Line Insurance Law and this (these) insurer(s) is  
16 (are) not authorized to do business in Georgia.'

17 (b) No surplus lines policy or certificate in which the policy premium is \$5,000.00 per  
18 annum or less shall be delivered in this state unless a brochure explaining coverage is  
19 delivered to the applicant at the time application is made. The Commissioner may  
20 prescribe by rule or regulation a standard form and the contents of the brochure to be  
21 provided to any prospective insured eligible for surplus lines insurance.

22 (c) The Commissioner may promulgate additional rules and regulations which are  
23 necessary to implement the provisions of this article and to ensure the safe and proper  
24 operation of surplus lines brokers of this state."

1 **SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.