

House Bill 408

By: Representative Knox of the 24th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-41-20 of the Official Code of Georgia Annotated, relating to
2 exclusion from insolvency funds, so as to provide for an exception for companies that have
3 reorganized under Chapter 13A of Title 33; to provide for certain contingency and effective
4 dates; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 33-41-20 of the Official Code of Georgia Annotated, relating to exclusion from
8 insolvency funds, is amended by revising subsection (a) as follows:

9 "(a)(1) Except for companies that have reorganized under Chapter 13A of this title, no
10 ~~No~~ captive insurance company shall be permitted to join or contribute financially to the
11 Georgia Insurers Insolvency Pool under Chapter 36 of this title or any other plan, pool,
12 or association guaranty or insolvency fund in this state nor shall any such captive
13 insurance company, or its insureds or claimants against its insureds, nor its parent or any
14 affiliated company receive any benefit from the Georgia Insurers Insolvency Pool or any
15 other plan, pool, or association guaranty or insolvency fund for claims arising out of the
16 operations of such captive insurance company.

17 (2) No captive insurance company shall be required to participate in any FAIR Plan
18 established and maintained in this state under Chapter 33 of this title.

19 (3) No captive insurance company shall be required to participate in any joint
20 underwriting association established and maintained in this state under Chapter 9 of this
21 title."

22 style="text-align:center">**SECTION 2.**

23 Provided that the General Assembly enacts the Mutual Holding Company Act as Chapter
24 13A of Title 33 during the 2007 regular session, this Act shall become effective July 1, 2007.
25 Otherwise, this Act shall stand repealed on that date by operation of law.

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SECTION 3.

2 All laws and parts of laws in conflict with this Act are repealed.