

The Senate Insurance and Labor Committee offered the following substitute to SB 183:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 23 of Title 33 of the Official Code of Georgia Annotated,
2 relating to insurance agents, agencies, subagents, counselors, and adjusters, so as to authorize
3 insurance agents to charge and collect certain fees under certain circumstances; to provide
4 for the keeping of records of such fees charged and collected; to provide for separate receipts
5 for such fees; to prohibit the collection of any fees not so authorized; to provide for related
6 matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Article 1 of Chapter 23 of Title 33 of the Official Code of Georgia Annotated, relating to
10 insurance agents, agencies, subagents, counselors, and adjusters, is amended by adding a
11 Code Section as follows:

12 "33-23-35.1

13 (a) On or after July 1, 2007, insurance agents may charge and collect administrative fees
14 directly from consumers not in excess of the following schedule when processing
15 applications and endorsements for property and casualty insurance:

16 (1) Any one of the following fees:

- 17 (A) Rewriting a canceled or lapsed policy \$ 10.00
- 18 (B) Reinstatement of a policy 10.00

19 (2) Any or all of the following fees as applicable:

- 20 (A) Home reinspection \$ 10.00
- 21 (B) Photographing a motor vehicle or home 5.00
- 22 (C) Receiving cash payments in the agency 5.00
- 23 (D) Motor vehicle reports Actual cost incurred

24 (b) If an agent chooses to charge and collect service fees in accordance with subsection (a)
25 of this Code section, such fees shall be collected separate and distinct from the insurance

1 company's premium and shall be disclosed to the consumer as a separate charge by the
2 agent before any services are rendered. The agent shall keep records of all such fees
3 charged and collected in the same manner as premiums and the agent shall issue a separate
4 receipt for any fee collected.

5 (c) Except as expressly provided in this Code Section, an agent shall not charge or collect
6 additional fees for services."

7 **SECTION 2.**

8 This Act shall become effective on July 1, 2007.

9 **SECTION 3.**

10 All laws and parts of laws in conflict with this Act are repealed.