

House Bill 347

By: Representatives Hembree of the 67<sup>th</sup>, Meadows of the 5<sup>th</sup>, Lindsey of the 54<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Murphy of the 120<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-23-10 of the Official Code of Georgia Annotated, relating to the  
2 examination of applicants, so as to provide that the Commissioner shall not exempt himself  
3 or herself from any written examinations set forth in the Code section; to provide for related  
4 matters; 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 33-23-10 of the Official Code of Georgia Annotated, relating to the  
8 examination of applicants, is amended as follows:

9 "33-23-10.

10 (a) Each individual applicant for a license as agent, limited subagent, counselor, adjuster,  
11 or surplus line broker shall submit to a personal examination in writing as to his or her  
12 competence to act in such capacity. The examination shall be prepared and given by the  
13 Commissioner or a designee of the Commissioner and shall be given and graded in a fair  
14 and impartial manner and without unfair discrimination as between individuals examined.  
15 Any required examination may be supplemented by an oral examination at the discretion  
16 of the Commissioner. The Commissioner shall provide by rule or regulation for a  
17 reasonable waiting period before giving a reexamination to an applicant who failed to pass  
18 a previous similar examination.

19 (b) The Commissioner shall by rule or regulation establish criteria and procedures for:

20 (1) The scope of any examination; and

21 (2) Exemptions, if any, to examinations; provided that the Commissioner shall not,  
22 under any circumstances, exempt himself or herself from any written examination  
23 requirements set forth in this Code section.

24 (c) An applicant for a license to act as an agent, limited subagent, surplus line broker,  
25 counselor, or adjuster who held a valid license to act as such which lapsed while the  
26 applicant was a member of any branch of the armed forces of the United States shall be

27 granted a new license if application is made within a period of five years from the date of  
28 the expiration of the old license and proof satisfactory to the Commissioner is furnished  
29 that:

30 (1) The individual was a member of the armed forces of the United States at the time the  
31 previous license lapsed; and

32 (2) The individual's service in the armed forces of the United States was not terminated  
33 more than one year prior to the date of application for a new license."

34 **SECTION 2.**

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