

Senate Bill 203

By: Senators Bethel of the 54th, Mullis of the 53rd and Albers of the 56th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 23 of Title 33 of the Official Code of Annotated, relating to licensing of  
2 agents, agencies, subagents, counselors, and adjusters, so as to provide that certain  
3 individuals who collect and input data into an automated claims adjudication system are  
4 exempt from licensure; to provide for definitions; to change certain resident independent  
5 adjuster license requirements; to add certain nonresident independent adjuster license  
6 requirements; to provided for related matters; to repeal conflicting laws; and for other  
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Chapter 23 of Title 33 of the Official Code of Georgia Annotated, relating to licensing of  
11 agents, agencies, subagents, counselors, and adjusters, is amended by adding a new  
12 paragraph to subsection (a) of Code Section 33-23-1, relating to definitions, to read as  
13 follows:

14 "(3.1) 'Automated claims adjudication system' means a preprogrammed computer system  
15 designed for the collection, data entry, calculation, and final resolution of property  
16 insurance claims which:

17 (1) May only be utilized by a licensed independent adjuster, licensed agent, or supervised  
18 individuals operating pursuant to this paragraph;

19 (2) Shall comply with all claims payment requirements of the Georgia Insurance Code;  
20 and

21 (3) Shall be certified as compliant with this Code section by a licensed independent  
22 adjuster that is an officer of a business entity licensed under this chapter."

23 SECTION 2.

24 Said chapter is further amended by adding a new paragraph to subsection (b) of Code Section  
25 33-23-1, relating to definitions, to read as follows:

26 "(8) An individual who collects claim information from, or furnishes claim information  
 27 to, insureds or claimants, and who conducts data entry including entering data into an  
 28 automated claims adjudication system, provided that the individual is an employee of a  
 29 licensed independent adjuster or its affiliate where no more than 25 such persons are  
 30 under the supervision of one licensed independent adjuster or licensed agent."

31 **SECTION 3.**

32 Said chapter is further amended by adding new subsections to Code Section 33-23-5, relating  
 33 to the qualifications and requirements for a license, to read as follows:

34 "(d) No resident of Canada may be licensed pursuant to this Code section or may designate  
 35 Georgia as their home state, unless such person successfully passed the adjuster  
 36 examination and has complied with other applicable portions of this Code section.

37 (e) If applying for a resident independent adjuster license, the Commissioner shall require  
 38 the business entity to submit the names, addresses, social security numbers, criminal and  
 39 administrative history, background checks, biographical statements, and fingerprints, of all  
 40 executive officers and directors of the applicant and of all executive officers and directors  
 41 of entities owning and any individuals owning, directly or indirectly, 51 percent or more  
 42 of the outstanding voting securities of the applicant."

43 **SECTION 4.**

44 Said chapter is further amended by adding new subsections to Code Section 33-23-29,  
 45 relating to nonresident adjusters, to read as follows:

46 "(f) A nonresident business entity may be licensed by the Commissioner as a nonresident  
 47 independent adjuster if the applicant provides the Commissioner the names, addresses,  
 48 fingerprints, social security numbers, criminal and administrative history, background  
 49 checks, and biographical statement, of all executive officers and directors of the applicant  
 50 and of all executive officers and directors of entities owning and any individuals owning,  
 51 directly or indirectly, 51 percent or more of the outstanding voting securities of the  
 52 applicant. Any nonresident business entity applicant whose state of domicile complies with  
 53 all of the provisions of this subsection shall not be required to submit a criminal history,  
 54 background check, and biographical statement for its executive officers, directors, and  
 55 owners of outstanding voting securities.

56 (g) No resident of Canada may be licensed as a nonresident independent adjuster unless  
 57 such person has obtained a resident or home state independent adjuster license."

58 **SECTION 5.**

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