

Senate Bill 252

By: Senators Shafer of the 48th, Goggans of the 7th, McKoon of the 29th and Hill of the 32nd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 3 of Title 33 of the Official Code of Georgia Annotated, relating to the  
2 authorization and general requirements for the transaction of insurance, so as to provide that  
3 the Commissioner shall determine if an insurer meets the definition of a reinsurer; to provide  
4 for the definition of a reinsurer; to provide for designation on the certificate of authority; to  
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 3 of Title 33 of the Official Code of Georgia Annotated, relating to the authorization  
9 and general requirements for the transaction of insurance, is amended by revising Code  
10 Section 33-3-15 as follows:

11 "33-3-15.

12 (a) Upon filing of an application for an original certificate of authority, the Commissioner  
13 shall have 90 days in which to approve the application by issuing an appropriate certificate  
14 of authority or disapprove the application by issuing an order setting forth the grounds for  
15 such disapproval. The Commissioner may extend such 90 day period for an additional 90  
16 days by notifying the applicant in writing of such extension. If the application is not  
17 approved or disapproved within the such time period as above set forth or periods, the  
18 application shall be deemed approved and the Commissioner shall thereupon issue the  
19 appropriate certificate of authority.

20 (b) The certificate, if issued, shall specify the kind or kinds of insurance the insurer is  
21 authorized to transact in Georgia. At the insurer's request, the Commissioner may issue a  
22 certificate of authority limited to particular types of insurance included within a kind of  
23 insurance as defined in this title.

24 (c) The Commissioner shall determine if the insurer is a reinsurer and shall so designate  
25 on the certificate. As used in this subsection, the term 'reinsurer' means an insurer that is

26 principally engaged in the business of reinsurance, does not conduct significant amounts  
27 of direct insurance as a percentage of its net premiums, and is not engaged in an ongoing  
28 basis in the business of soliciting direct insurance."

29 **SECTION 2.**

30 All laws and parts of laws in conflict with this Act are repealed.