

Senate Bill 252

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

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

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

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

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

"33-3-15.

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

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

(c) The Commissioner shall determine if the insurer is a reinsurer and shall so designate 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30 All laws and parts of laws in conflict with this Act are repealed.