

House Bill 882

By: Representatives Taylor of the 173rd, Smith of the 134th, Atwood of the 179th, Meadows of the 5th, Brockway of the 102nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 33 of the Official Code of Georgia Annotated, relating to
2 authorization and general requirements for the transaction of insurance, so as to eliminate the
3 foreign and alien insurer deposit requirement of securities eligible for the investment of
4 capital funds in certain amounts at the discretion of the Commissioner; to provide for the
5 elimination of newspaper publication by insurers of certain financial information and to
6 provide proof of such publication to the Commissioner; to provide for related matters; to
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Chapter 3 of Title 33 of the Official Code of Georgia Annotated, relating to authorization and
11 general requirements for the transaction of insurance, is amended by revising Code
12 Section 33-3-9, relating to requirement of additional deposits of securities by foreign and
13 alien insurers, as follows:

14 "33-3-9.

15 ~~(a) In addition to the deposit required by Code Section 33-3-8, each foreign and alien~~
16 ~~insurer shall deposit with the Commissioner securities eligible for the investment of capital~~
17 ~~funds in an amount not less than \$10,000.00 nor more than \$25,000.00 at the discretion of~~
18 ~~the Commissioner. This deposit and the deposit required by paragraph (1) of subsection (b)~~
19 ~~of Code Section 33-3-8 shall be administered as provided in Chapter 12 of this title.~~
20 ~~Deposits under this Code section shall be held for the protection of the insurer's~~
21 ~~policyholders in Georgia and others in Georgia entitled to the proceeds of its policies.~~

22 ~~(b) On and after July 1, 1967, in those instances in which the Commissioner in his or her~~
23 ~~judgment shall deem it to be in the best interests of the citizens of this state, no certificate~~
24 ~~of authority shall be issued by the Commissioner to any foreign and alien insurer nor shall~~
25 ~~any certificate of authority be renewed for any such insurer unless said such insurer shall~~
26 ~~deposit with the Commissioner, in addition to those requirements provided for in~~

27 ~~subsection (a) of this Code section, securities eligible for the investment of capital funds~~
 28 ~~in such amount as the Commissioner shall require, ; but in no event shall he require a~~
 29 ~~deposit of additional securities which would bring the aggregate total of such securities~~
 30 ~~required by this Code section to be on deposit to exceed \$100,000.00. Such additional~~
 31 ~~deposits~~ This deposit and the deposit required by paragraph (1) of subsection (b) of Code
 32 Section 33-3-8 shall be administered as provided for in this subsection Chapter 12 of this
 33 title. ; provided, however, such additional deposits shall not apply to foreign and alien life
 34 insurers. Deposits under this Code section shall be held for the protection of the insurer's
 35 policyholders in this state and others in this state entitled to the proceeds of its policies."

36

SECTION 2.

37 Said chapter is further amended by revising Code Section 33-3-16, relating to expiration of
 38 certificate, procedure for renewal, and amendment of certificate by Commissioner, as
 39 follows:

40 "33-3-16.

41 (a) All certificates of authority shall expire at 12:00 Midnight on June 30 of the year
 42 following date of issuance or renewal. An insurer desiring renewal shall file on March 1
 43 preceding expiration a copy of its annual statement of December 31 of the preceding year
 44 in a form approved for current use by the Commissioner. ~~On or before March 1 of each~~
 45 ~~year, each insurer at its expense shall publish in a newspaper of general circulation~~
 46 ~~published in this state a copy of such statement in short form showing income, assets,~~
 47 ~~expenditures, and liabilities in gross as of December 31 of the preceding year to be sworn~~
 48 ~~to by the officer or agent making the same; and such statement so published must be filed~~
 49 ~~with the Commissioner with a copy of the statement as published attached thereto.~~
 50 Notwithstanding the March 1 deadline, the Commissioner may for good cause grant an
 51 extension of time for filing such annual statement not to exceed 60 days. If the insurer
 52 qualifies, its certificate shall be renewed annually; provided, however, that any certificate
 53 of authority shall continue in full force and effect until the new certificate is issued or
 54 specifically refused.

55 (b) The Commissioner may amend a certificate of authority at any time to accord with
 56 changes in the insurer's charter or insuring powers."

57

SECTION 3.

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