

House Bill 882 (COMMITTEE SUBSTITUTE)

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 related
5 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 authorization and
9 general requirements for the transaction of insurance, is amended by revising Code
10 Section 33-3-9, relating to requirement of additional deposits of securities by foreign and
11 alien insurers, as follows:

12 "33-3-9.

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

20 (b) On and after July 1, 1967, in those instances in which the Commissioner in his or her
21 judgment shall deem it to be in the best interests of the citizens of this state, no certificate
22 of authority shall be issued by the Commissioner to any foreign and alien insurer nor shall
23 any certificate of authority be renewed for any such insurer unless said such insurer shall
24 deposit with the Commissioner, ~~in addition to those requirements provided for in~~
25 ~~subsection (a) of this Code section,~~ securities eligible for the investment of capital funds
26 in such amount as the Commissioner shall require, ~~; but in no event shall he require a~~
27 ~~deposit of additional securities which would bring the aggregate total of such securities~~

28 ~~required by this Code section to be on deposit to exceed \$100,000.00. Such additional~~
29 ~~deposits~~ This deposit and the deposit required by paragraph (1) of subsection (b) of Code
30 Section 33-3-8 shall be administered as provided for in this subsection Chapter 12 of this
31 title. ; provided, however, such additional deposits shall not apply to foreign and alien life
32 insurers. Deposits under this Code section shall be held for the protection of the insurer's
33 policyholders in this state and others in this state entitled to the proceeds of its policies."

34

SECTION 2.

35 All laws and parts of laws in conflict with this Act are repealed.