

LOST

Senators Merritt of the 9th, Mallow of the 2nd, Islam Parkes of the 7th, and McLaurin of the 14th offered the following amendment #2:

1 *Amend HB 348 (LC 52 0715) by inserting after "definitions;" on line 4 the following:*

2 to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
3 insurance generally, so as to prohibit an insurer from transferring funds between affiliates
4 with intent to mislead regarding the insurer's profitability;

5 *By inserting between lines 51 and 52 the following:*

6 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
7 generally, is amended by adding a new Code section to read as follows:

8 "33-24-59.34.

9 No insurer shall engage in any scheme or artifice by which it transfers funds between
10 affiliates or subsidiaries of such insurer for the purpose of creating a false or misleading
11 impression regarding the profitability of such insurer or its subsidiaries or affiliates.
12 Following a public hearing as described in Chapter 13 of Title 50, the 'Georgia
13 Administrative Procedure Act,' the Commissioner may fine a violating insurer
14 \$100,000.00. Any natural person found guilty of the commission of such an act in a court
15 of law shall be guilty of a misdemeanor of a high and aggravated nature and shall be
16 punished in accordance with Code Section 17-10-4."

17 **SECTION 5.**

18 *By replacing "5" on line 54 with "6".*