

1 *Senate* BILL NO. *294*  
 2 INTRODUCED BY NELSON

3 BY REQUEST OF THE INSURANCE COMMISSIONER

4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
 6 40-2726, R.C.M. 1947, TO PROVIDE FOR A NONRESIDENT INSURANCE  
 7 AGENT'S LICENSE FEE AND INCREASE THE FEE REQUIRED FOR THE  
 8 INSURANCE COMMISSIONER'S CERTIFICATE UNDER SEAL."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 40-2726, R.C.M. 1947, is amended to  
12 read as follows:

13 "40-2726. Fees and licenses. (1) The commissioner  
14 shall collect in advance, and the persons so served shall so  
15 pay to the commissioner, the following fees and licenses:

- 16 (a) Certificates of authority.
- 17 (i) Application for original certificate of authority:  
 18 For filing applications for certificate of authority,  
 19 articles of incorporation (except as provided in subsection  
 20 (b), below) and other charter documents, bylaws, financial  
 21 statement, examination report, power of attorney to the  
 22 commissioner, and all other documents and filings required  
 23 in connection with such application, and for issuance of an  
 24 original certificate of authority, if issued:

25 Domestic insurers.....\$ 30.00

- 1 Foreign insurers.....300.00
- 2 (ii) Annual continuation of certificate of authority...  
 3 .....300.00
- 4 (iii) Reinstatement of certificate of authority.. 25.00
- 5 (b) Articles of incorporation:
- 6 (i) Filing original articles of incorporation of  
 7 domestic insurer, exclusive of fees required to be paid by  
 8 the corporation to the secretary of state..... 20.00
- 9 (ii) Filing amendment of articles of incorporation,  
 10 domestic and foreign insurers, exclusive of fees required to  
 11 be paid to the secretary of state by a domestic corporation  
 12 ..... 10.00
- 13 (c) Filing bylaws or amendment thereto, where  
 14 required..... 5.00
- 15 (d) Filing annual statement of insurer, other than as  
 16 part of application for original certificate of authority...  
 17 ..... 25.00
- 18 (e) Agent's license, property, casualty, surety, title  
 19 insurance agents, and including disability insurance without  
 20 additional license or fee when written by property,  
 21 casualty, or surety insurer other- wise represented by the  
 22 agent:
- 23 (i) Application for original license, and including  
 24 issuance of license, if issued..... 10.00
- 25 (ii) Appointment of agent, each insurer..... 5.00

1 (iii) Annual renewal or appointment of agent, each  
 2 insurer..... 5.00  
 3 (iv) Temporary license..... 10.00  
 4 ~~(f) Nonresident agent's license, property, casualty,~~  
 5 ~~title insurance agents, and disability insurance without~~  
 6 ~~additional license or fee when written by property,~~  
 7 ~~casualty, or surety insurer otherwise represented by the~~  
 8 ~~agent:~~  
 9 (i) application for original license including  
 10 issuance of license, if issued.....100.00  
 11 (ii) appointment of agent, each insurer..... 5.00  
 12 (iii) annual renewal or appointment of agent, each  
 13 insurer.....100.00  
 14 ~~(f)(g) Solicitor's license:~~  
 15 (i) Application for original license, including  
 16 issuance of license, if issued..... 5.00  
 17 (ii) Annual continuation of license..... 5.00  
 18 ~~(g)(h) Agent's license, life, disability insurance:~~  
 19 (i) Application for original license, each insurer....  
 20 ..... 5.00  
 21 (ii) Annual continuation or renewal of license, each  
 22 insurer..... 5.00  
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 24 ~~(i) Nonresident agent's license, life, disability~~  
 25 ~~insurance:~~

1 ~~(i) application for original license, including~~  
 2 ~~issuance of license, if issued, each insurer.....100.00~~  
 3 ~~(ii) annual continuation or renewal of license, each~~  
 4 ~~insurer.....100.00~~  
 5 ~~(h)(j) Examination for license as agent or solicitor,~~  
 6 each examination ..... 10.00  
 7 ~~(i)(k) Surplus line agent's license:~~  
 8 (i) Application for original license and for issuance  
 9 of license, if issued..... 25.00  
 10 (ii) Annual renewal or continuation of license... 25.00  
 11 ~~(j)(l) Adjuster's license:~~  
 12 (i) Application for original license and for issuance  
 13 of license, if issued..... 10.00  
 14 (ii) Annual continuation or renewal of license... 10.00  
 15 ~~(k)(m) Insurance vending machine license, each~~  
 16 machine, each year..... 10.00  
 17 ~~(l)(n) Commissioner's certificate under seal (except~~  
 18 ~~when on certificates of authority or licenses).... 1.00~~  
 19 ~~(m)(o) Copies of documents on file in the~~  
 20 commissioner's office, per page..... .50  
 21 ~~(n)(p) Policy forms:~~  
 22 (i) Filing each policy form..... 25.00  
 23 (ii) Filing each application, rider, endorsement,  
 24 amendment, insert page, schedule or rates and clarification  
 25 of risks..... 10.00

1       (iii) Maximum charge if policy and all forms submitted  
2 at one time, or resubmitted for approval within 180 days....  
3 ..... 50.00

4       (2) The commissioner shall promptly deposit with the  
5 state treasurer to the credit of the general fund or federal  
6 and private grant clearance fund of this state all fees and  
7 licenses received by him under this section.

8       (3) The fees provided for in this section shall be in  
9 lieu of all fees heretofore payable with respect to  
10 insurance or insurers under section 25-101."

-End-

STATE OF MONTANA

REQUEST NO. 537-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 10, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 294 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Provides for a non-resident insurance license fee and increases the fee required for the Insurance Commissioner's certificate under seal.

ASSUMPTIONS:

1. Proposed legislation will not increase operating costs of the Commissioner of Insurance office.
2. 267 certificates, the present number, will be issued.
3. At least one-half of the 1,671 non-resident agents licensed in Montana will renew their licenses.

FISCAL IMPACT:

The proposed legislation will increase revenue to the state General Fund as follows:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Certificates under seal	\$ 534	\$ 534	\$ 1,068
Non-resident agents' fees	<u>71,530</u>	<u>71,530</u>	<u>143,060</u>
Total	<u>\$72,064</u>	<u>\$72,064</u>	<u>\$144,128</u>

*Richard L. Young for*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-18-77

Approved by Committee  
on Business and Industry

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 21 statement, examination report, power of attorney to the  
 22 commissioner, and all other documents and filings required  
 23 in connection with such application, and for issuance of an  
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 25 Domestic insurers.....\$ 30.00

SECOND READING

1 Foreign insurers.....300.00  
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 5 (b) Articles of incorporation:  
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 8 the corporation to the secretary of state..... 20.00  
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 10 domestic and foreign insurers, exclusive of fees required to  
 11 be paid to the secretary of state by a domestic corporation  
 12 ..... 10.00  
 13 (c) Filing bylaws or amendment thereto, where  
 14 required..... 5.00  
 15 (d) Filing annual statement of insurer, other than as  
 16 part of application for original certificate of authority...  
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 18 (e) Agent's license, property, casualty, surety, title  
 19 insurance agents, and including disability insurance without  
 20 additional license or fee when written by property,  
 21 casualty, or surety insurer other- wise represented by the  
 22 agent:  
 23 (i) Application for original license, and including  
 24 issuance of license, if issued..... 10.00  
 25 (ii) Appointment of agent, each insurer..... 5.00

1 (iii) Annual renewal or appointment of agent, each  
 2 insurer..... 5.00  
 3 (iv) Temporary license..... 10.00  
 4 (f) Nonresident agent's license, property, casualty,  
 5 title insurance agents, and disability insurance without  
 6 additional license or fee when written by property,  
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 25 insurance:

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 17 ††(n) Commissioner's certificate under seal (except  
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2 at one time, or resubmitted for approval within 180 days....  
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4 (2) The commissioner shall promptly deposit with the  
5 state treasurer to the credit of the general fund ~~or federal~~  
6 ~~and private grant clearance fund~~ of this state all fees and  
7 licenses received by him under this section.

8 (3) The fees provided for in this section shall be in  
9 lieu of all fees heretofore payable with respect to  
10 insurance or insurers under section 25-101."

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