

CHAPTER NO. 344

SENATE BILL NO. 92

INTRODUCED BY BLAYLOCK, PETERSON, MEHRENS, KOLSTAD

BY REQUEST OF THE COMMISSIONER OF INSURANCE

IN THE SENATE

January 12, 1979	Introduced and referred to Committee on Business and Industry.
January 30, 1979	Committee recommend bill do pass. Report adopted.
January 31, 1979	Printed and placed on members' desks.
February 1, 1979	Second reading, do pass.
February 2, 1979	Considered correctly engrossed.
February 3, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 5, 1979	Introduced and referred to Committee on Business and Industry.
March 9, 1979	Committee recommend bill be concurred in. Report adopted.
March 13, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in.

IN THE SENATE

March 16, 1979	Returned from second house. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 *Sen. Gary* BILL NO. *92*
 2 INTRODUCED BY *Clayton Peterson*
 3 BY REQUEST OF THE COMMISSIONER OF INSURANCE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSE
 6 FEE SCHEDULE RELATING TO THE INSURANCE INDUSTRY AND TO
 7 REVISE THE TERMINOLOGY FOR RENEWAL LICENSES; AMENDING
 8 SECTIONS 33-2-708, 33-17-218, AND 33-17-231, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 33-2-708, MCA, is amended to read:
 12 "33-2-708. Fees and licenses. (1) The commissioner
 13 shall collect in advance and the persons so served shall so
 14 pay to the commissioner the following fees and licenses:

- 15 (a) certificates of authority:
- 16 (i) for filing applications for original certificate
- 17 of authority, articles of incorporation (except as provided
- 18 in subsection (b), below) and other charter documents,
- 19 bylaws, financial statement, examination report, power of
- 20 attorney to the commissioner, and all other documents and
- 21 filings required in connection with such application and for
- 22 issuance of an original certificate of authority, if issued:
- 23 (A) domestic insurers\$ 30.00
- 24 (B) foreign insurers300.00
- 25 (ii) annual continuation of certificate of authority ..

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

1 issuance of license, if issued (other than life and/or
 2 disability) 10.00
 3 ~~(iii)~~ appointment of agent, each insurer 5.00
 4 ~~(iv)~~ annual renewal or appointment of agent, each
 5 insurer 5.00
 6 ~~(v)~~ temporary license 10.00
 7 (f) nonresident agent's license--property--casualty
 8 title insurance agents and disability insurance without
 9 additional license or fee when written by property
 10 casualty or surety insurer otherwise represented by the
 11 agent:
 12 (i) application for original license, including
 13 issuance of license, if issued (life and/or disability)
 14100.00
 15 (ii) application for original license, including
 16 issuance of license, if issued (other than life and/or
 17 disability)100.00
 18 ~~(iii)~~ appointment of agent, each insurer 5.00
 19 ~~(iv)~~ annual renewal or appointment of agent, each
 20 insurer100.00 5.00
 21 (g) solicitor's license:
 22 (i) application for original license, including
 23 issuance of license, if issued 5.00
 24 (ii) annual continuation renewal of license 5.00
 25 ~~(h) agent's license--life--disability insurance*~~

1 ~~(i) application for original license, each insurer ...~~
 2 ~~.....5.00~~
 3 ~~(ii) annual continuation or renewal of license each~~
 4 ~~insurer~~5.00
 5 ~~(iii) temporary license, each insurer~~5.00
 6 ~~(j) nonresident agent's license--life--disability~~
 7 ~~insurance*~~
 8 ~~(k) application for original license, including~~
 9 ~~issuance of license, if issued, each insurer~~100.00
 10 ~~(l) annual continuation or renewal of license each~~
 11 ~~insurer~~100.00
 12 ~~(m)~~ examination for license as agent or solicitor,
 13 each examination 10.00
 14 ~~(n)~~ surplus line agent's license:
 15 (i) application for original license and for issuance
 16 of license, if issued 25.00
 17 (ii) annual renewal or continuation of license .. 25.00
 18 ~~(o)~~ adjuster's license:
 19 (i) application for original license and for issuance
 20 of license, if issued 10.00
 21 (ii) annual continuation or renewal of license .. 10.00
 22 ~~(p)~~ insurance vending machine license, each
 23 machine, each year 10.00
 24 ~~(q)~~ commissioner's certificate under seal (except
 25 when on certificates of authority or licenses) 3.00

1 ~~(e)~~(m) copies of documents on file in the
2 commissioner's office, per page50

3 ~~(f)~~(n) policy forms:

4 (i) filing each policy form 25.00

5 (ii) filing each application, rider, endorsement,
6 amendment, insert page, schedule or rates, and clarification
7 of risks 10.00

8 (iii) maximum charge if policy and all forms submitted
9 at one time or resubmitted for approval within 180 days
10 50.00

11 (2) The commissioner shall promptly deposit with the
12 state treasurer to the credit of the general fund of this
13 state all fees and licenses received by him under this
14 section."

15 Section 2. Section 33-17-218, MCA, is amended to read:

16 "33-17-218. Continuance and expiration of licenses.

17 (1) All solicitor and adjuster licenses issued under this
18 chapter, all agent licenses as to life and/or disability
19 insurance only, and all nonresident agent licenses shall
20 continue in force until expired, suspended, revoked, or
21 terminated but subject to payment to the commissioner
22 annually on or before May 1 of the applicable continuation
23 renewal fee as stated in 33-2-708, accompanied by written
24 request for such continuation. Such request for continuation
25 as to agent licenses for life insurance and/or disability

1 insurance only shall be made by the insurer in the form of
2 an alphabetical list in duplicate of the names and addresses
3 of its agents whose licenses are to be continued in this
4 state, accompanied by payment of the annual continuation
5 renewal fee therefor as provided in 33-2-708. At the same
6 time the insurer shall also file with the commissioner an
7 alphabetical list in duplicate of the names and addresses of
8 all its agents whose licenses in this state are not to
9 remain in effect. Section 33-17-231(5) shall apply as to any
10 licenses so terminated by the insurer. As to a solicitor's
11 license, such request shall be signed by the agent by whom
12 the licensee is employed.

13 (2) Any license referred to in subsection (1) as to
14 which such fee and request for continuation are not received
15 by the commissioner as required in such subsection (1) shall
16 be deemed to have expired as of midnight on May 31 next
17 following. Request for continuation of any such license
18 and/or payment of the continuation renewal fee therefor
19 which is received by the commissioner after such May 1 and
20 prior to the next following June 15 may be accepted and
21 effectuated by the commissioner, in his discretion, if
22 accompanied by an annual continuation renewal fee in twice
23 the amount otherwise required.

24 (3) The license of an agent as to property, casualty,
25 or surety insurance shall continue in force as long as there

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1 is in effect as to such agent as shown by the commissioner's
 2 records an appointment or appointments, as agent of
 3 authorized insurers, covering collectively all of the kinds
 4 of insurance included in the agent's license. Upon
 5 termination of all of such an agent's agency appointments as
 6 to a particular kind of insurance and failure to secure and
 7 file with the commissioner a new appointment as to such kind
 8 of insurance within 90 days thereafter, the agent's license
 9 shall automatically thereupon expire and terminate as to
 10 such kind of insurance and the licensee shall promptly
 11 deliver his license to the commissioner for reissuance,
 12 without fee or charge, as to the kinds of insurance covered
 13 by the agent's remaining appointments.

14 (4) This section shall not apply to temporary licenses
 15 issued under 33-17-216.*

16 Section 3. Section 33-17-231, MCA, is amended to read:

17 *33-17-231. Appointment of agents -- continuation and
 18 termination. (1) Each insurer appointing an agent in this
 19 state as to property, casualty, or surety insurance shall
 20 file with the commissioner the appointment, specifying the
 21 kinds of insurance to be transacted by the agent for the
 22 insurer, and pay the fee therefor as stated in 33-2-708. If
 23 the appointment includes casualty insurance, the agent may
 24 be appointed by the same insurer also as to disability
 25 insurance without requiring an additional appointment or

1 appointment fee.

2 (2) Subject to annual continuation by the insurer not
 3 later than May 31, each such appointment shall remain in
 4 effect until the agent's license is revoked or otherwise
 5 terminated unless written notice of earlier termination of
 6 the appointment is filed with the commissioner by the
 7 insurer or agent.

8 (3) Annually, prior to May 1, each insurer shall file
 9 with the commissioner an alphabetical list in duplicate of
 10 the names and addresses of all its agents whose appointments
 11 in this state are to remain in effect, accompanied by
 12 payment of the annual ~~continuation-of-appointment renewal~~
 13 fee as provided in 33-2-708. At the same time the insurer
 14 shall also file with the commissioner an alphabetical list
 15 in duplicate of the names and addresses of all its agents
 16 whose appointments in this state are not to remain in
 17 effect.

18 (4) Subject to the agent's contract rights, an insurer
 19 may terminate an agency appointment at any time. The insurer
 20 shall promptly give written notice of such termination to
 21 the commissioner and to the agent where reasonably possible.
 22 The commissioner may require of the insurer reasonable proof
 23 that the insurer has given such notice to the agent.

24 (5) As part of the notice of termination given the
 25 commissioner, the insurer shall file with the commissioner a

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1 statement of the facts relative to the termination and the
2 cause thereof. Any information or statement contained in the
3 notice of termination shall be privileged and shall not be
4 admissible as evidence in any action or proceeding against
5 the insurer or any representative thereof by or in behalf of
6 any person affected by such termination."

-End-

Approved by Committee on Business and Industry

1 INTRODUCED BY Justin BILL NO. 92
2 Stacy Peterson
3 McBain
4 BY REQUEST OF THE COMMISSIONER OF INSURANCE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSE
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 - 17 of authority, articles of incorporation (except as provided
 - 18 in subsection (b), below) and other charter documents,
 - 19 bylaws, financial statement, examination report, power of
 - 20 attorney to the commissioner, and all other documents and
 - 21 filings required in connection with such application and for
 - 22 issuance of an original certificate of authority, if issued:
 - 23 (A) domestic insurers 50.00
 - 24 (B) foreign insurers 300.00
 - 25 (ii) annual continuation of certificate of authority ..

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

1 ~~issuance of license, if issued (other than life and/or~~
2 ~~disability) 10.00~~
3 ~~(iii)(iii) appointment of agent, each insurer 5.00~~
4 ~~(iii)(iv) annual renewal or appointment of agent, each~~
5 ~~insurer 5.00~~
6 ~~(iv)(v) temporary license 10.00~~
7 ~~(f) nonresident agent's license--property--casualty~~
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9 ~~additional license or fee when written by property~~
10 ~~casualty or surety insurer otherwise represented by the~~
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24 ~~(ii) annual continuation renewal of license 5.00~~
25 ~~(h) agent's license--life--disability--insurance*~~

1 ~~(i) application for original license--each insurer--~~
2 ~~.....5.00~~
3 ~~(ii) annual continuation or renewal of license--each~~
4 ~~insurer.....5.00~~
5 ~~(iii) temporary license--each insurer.....5.00~~
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21 ~~(ii) annual continuation or renewal of license .. 10.00~~
22 ~~(m)(k) insurance vending machine license, each~~
23 ~~machine, each year 10.00~~
24 ~~(n)(l) commissioner's certificate under seal (except~~
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1 ~~(e)(1)~~ copies of documents on file in the
2 commissioner's office, per page

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11 (2) The commissioner shall promptly deposit with the
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15 Section 2. Section 33-17-218, MCA, is amended to read:

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18 chapter, all agent licenses as to life and/or disability
19 insurance only, and all nonresident agent licenses shall
20 continue in force until expired, suspended, revoked, or
21 terminated but subject to payment to the commissioner
22 annually on or before May 1 of the applicable continuance
23 renewal fee as stated in 33-2-708, accompanied by written
24 request for such continuation. Such request for continuation
25 as to agent licenses for life insurance and/or disability

1 insurance only shall be made by the insurer in the form of
2 an alphabetical list in duplicate of the names and addresses
3 of its agents whose licenses are to be continued in this
4 state, accompanied by payment of the annual continuance
5 renewal fee therefor as provided in 33-2-708. At the same
6 time the insurer shall also file with the commissioner an
7 alphabetical list in duplicate of the names and addresses of
8 all its agents whose licenses in this state are not to
9 remain in effect. Section 33-17-231(5) shall apply as to any
10 licenses so terminated by the insurer. As to a solicitor's
11 license, such request shall be signed by the agent by whom
12 the licensee is employed.

13 (2) Any license referred to in subsection (1) as to
14 which such fee and request for continuation are not received
15 by the commissioner as required in such subsection (1) shall
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17 following. Request for continuation of any such license
18 and/or payment of the continuance renewal fee therefor
19 which is received by the commissioner after such May 1 and
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21 effectuated by the commissioner, in his discretion, if
22 accompanied by an annual continuance renewal fee in twice
23 the amount otherwise required.

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25 or surety insurance shall continue in force as long as there

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1 is in effect as to such agent as shown by the commissioner's
 2 records an appointment or appointments, as agent of
 3 authorized insurers, covering collectively all of the kinds
 4 of insurance included in the agent's license. Upon
 5 termination of all of such an agent's agency appointments as
 6 to a particular kind of insurance and failure to secure and
 7 file with the commissioner a new appointment as to such kind
 8 of insurance within 90 days thereafter, the agent's license
 9 shall automatically thereupon expire and terminate as to
 10 such kind of insurance and the licensee shall promptly
 11 deliver his license to the commissioner for reissuance,
 12 without fee or charge, as to the kinds of insurance covered
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 23 the appointment includes casualty insurance, the agent may
 24 be appointed by the same insurer also as to disability
 25 insurance without requiring an additional appointment or

1 appointment fee.

2 (2) Subject to annual continuation by the insurer not
 3 later than May 31, each such appointment shall remain in
 4 effect until the agent's license is revoked or otherwise
 5 terminated unless written notice of earlier termination of
 6 the appointment is filed with the commissioner by the
 7 insurer or agent.

8 (3) Annually, prior to May 1, each insurer shall file
 9 with the commissioner an alphabetical list in duplicate of
 10 the names and addresses of all its agents whose appointments
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 20 shall promptly give written notice of such termination to
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 22 The commissioner may require of the insurer reasonable proof
 23 that the insurer has given such notice to the agent.

24 (5) As part of the notice of termination given the
 25 commissioner, the insurer shall file with the commissioner a

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1 statement of the facts relative to the termination and the
2 cause thereof. Any information or statement contained in the
3 notice of termination shall be privileged and shall not be
4 admissible as evidence in any action or proceeding against
5 the insurer or any representative thereof by or in behalf of
6 any person affected by such termination.*

-End-

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 2 INTRODUCED BY *Blaylock Peterson* BILL NO. *92*
 3 BY REQUEST OF THE COMMISSIONER OF INSURANCE
 4

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 10 be paid to the secretary of state by a domestic corporation
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 12 (c) filing bylaws or amendment thereto where required
 13 5.00
 14 (d) filing annual statement of insurer, other than as
 15 part of application for original certificate of authority ..
 16 25.00
 17 (e) ~~resident agent's license, property-casualty,~~
 18 ~~surety, title insurance, agents, including disability~~
 19 ~~insurance without additional license or fee when written by~~
 20 ~~property-casualty, or surety insurer otherwise represented~~
 21 ~~by the agent:~~
 22 (i) application for original license, including
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25 ~~(h) agent's license, life, disability insurance~~

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23 ~~machine, each year~~ 10.00
24 ~~(n)(l) commissioner's certificate under seal (except~~
25 ~~when on certificates of authority or licenses)~~ 3.00

1 ~~total~~ copies of documents on file in the
2 commissioner's office, per page50

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21 effectuated by the commissioner, in his discretion, if
22 accompanied by an annual continuation renewal fee in twice
23 the amount otherwise required.

24 (3) The license of an agent as to property, casualty,
25 or surety insurance shall continue in force as long as there

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1 is in effect as to such agent as shown by the commissioner's
 2 records an appointment or appointments, as agent of
 3 authorized insurers, covering collectively all of the kinds
 4 of insurance included in the agent's license. Upon
 5 termination of all of such an agent's agency appointments as
 6 to a particular kind of insurance and failure to secure and
 7 file with the commissioner a new appointment as to such kind
 8 of insurance within 90 days thereafter, the agent's license
 9 shall automatically thereupon expire and terminate as to
 10 such kind of insurance and the licensee shall promptly
 11 deliver his license to the commissioner for reissuance,
 12 without fee or charge, as to the kinds of insurance covered
 13 by the agent's remaining appointments.

14 (4) This section shall not apply to temporary licenses
 15 issued under 33-17-216."

16 Section 3. Section 33-17-231, MCA, is amended to read:
 17 "33-17-231. Appointment of agents -- continuation and
 18 termination. (1) Each insurer appointing an agent in this
 19 state as to property, casualty, or surety insurance shall
 20 file with the commissioner the appointment, specifying the
 21 kinds of insurance to be transacted by the agent for the
 22 insurer, and pay the fee therefor as stated in 33-2-708. If
 23 the appointment includes casualty insurance, the agent may
 24 be appointed by the same insurer also as to disability
 25 insurance without requiring an additional appointment or

1 appointment fee.

2 (2) Subject to annual continuation by the insurer not
 3 later than May 31, each such appointment shall remain in
 4 effect until the agent's license is revoked or otherwise
 5 terminated unless written notice of earlier termination of
 6 the appointment is filed with the commissioner by the
 7 insurer or agent.

8 (3) Annually, prior to May 1, each insurer shall file
 9 with the commissioner an alphabetical list in duplicate of
 10 the names and addresses of all its agents whose appointments
 11 in this state are to remain in effect, accompanied by
 12 payment of the annual continuation-of-appointment renewal
 13 fee as provided in 33-2-708. At the same time the insurer
 14 shall also file with the commissioner an alphabetical list
 15 in duplicate of the names and addresses of all its agents
 16 whose appointments in this state are not to remain in
 17 effect.

18 (4) Subject to the agent's contract rights, an insurer
 19 may terminate an agency appointment at any time. The insurer
 20 shall promptly give written notice of such termination to
 21 the commissioner and to the agent where reasonably possible.
 22 The commissioner may require of the insurer reasonable proof
 23 that the insurer has given such notice to the agent.

24 (5) As part of the notice of termination given the
 25 commissioner, the insurer shall file with the commissioner a

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1 statement of the facts relative to the termination and the
2 cause thereof. Any information or statement contained in the
3 notice of termination shall be privileged and shall not be
4 admissible as evidence in any action or proceeding against
5 the insurer or any representative thereof by or in behalf of
6 any person affected by such termination."

-End-

SENATE BILL NO. 92

INTRODUCED BY BLAYLOCK, PETERSON, MEHRENS, KOLSTAD

BY REQUEST OF THE COMMISSIONER OF INSURANCE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LICENSE FEE SCHEDULE RELATING TO THE INSURANCE INDUSTRY AND TO REVISE THE TERMINOLOGY FOR RENEWAL LICENSES; AMENDING SECTIONS 33-2-708, 33-17-218, AND 33-17-231, MCA."

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

Section 1. Section 33-2-708, MCA, is amended to read:

"33-2-708. Fees and licenses. (1) The commissioner shall collect in advance and the persons so served shall so pay to the commissioner the following fees and licenses:

(a) certificates of authority:

(i) for filing applications for original certificate of authority, articles of incorporation (except as provided in subsection (b), below) and other charter documents, bylaws, financial statement, examination report, power of attorney to the commissioner, and all other documents and filings required in connection with such application and for issuance of an original certificate of authority, if issued:

(A) domestic insurers\$ 30.00

(B) foreign insurers300.00

(ii) annual continuation of certificate of authority ..

..... 300.00

(iii) reinstatement of certificate of authority

..... 25.00

(b) articles of incorporation:

(i) filing original articles of incorporation of domestic insurer, exclusive of fees required to be paid by the corporation to the secretary of state

..... 20.00

(ii) filing amendment of articles of incorporation, domestic and foreign insurers, exclusive of fees required to be paid to the secretary of state by a domestic corporation

..... 10.00

(c) filing bylaws or amendment thereto where required

..... 5.00

(d) filing annual statement of insurer, other than as part of application for original certificate of authority ..

..... 25.00

(e) resident agent's license, property, casualty, surety, title, insurance, agents, including disability insurance without additional license or fee when written by property, casualty, or surety insurer otherwise represented by the agent:

(i) application for original license, including issuance of license, if issued (life and/or disability)

..... 10.00

(ii) application for original license, including

1 issuance of license, if issued (other than life and/or
 2 disability) 10.00
 3 (iii) appointment of agent, each insurer 5.00
 4 (iv) annual renewal or appointment of agent, each
 5 insurer 5.00
 6 (v) temporary license 10.00
 7 (f) nonresident agent's license--property--casualty
 8 title--insurance--agents--and--disability--insurance--without
 9 additional--license--or--fee--when--written--by--property
 10 casualty--or--surety--insurer--otherwise--represented--by--the
 11 agent:
 12 (i) application for original license, including
 13 issuance of license, if issued (life and/or disability)
 14100.00
 15 (ii) application for original license, including
 16 issuance of license, if issued (other than life and/or
 17 disability)100.00
 18 (iii) appointment of agent, each insurer 5.00
 19 (iv) annual renewal or appointment of agent, each
 20 insurer100.00 5.00
 21 (g) solicitor's license:
 22 (i) application for original license, including
 23 issuance of license, if issued 5.00
 24 (ii) annual continuation (renewal) of license 5.00
 25 (h) --agent's--license--life--disability--insurance--

1 (i) --application--for--original--license--each--insurer--
 25.00
 3 (ii) --annual--continuation--or--renewal--of--license--each
 4 insurer.....5.00
 5 (iii) --temporary--license--each--insurer.....5.00
 6 (j) --nonresident--agent's--license--life--disability
 7 insurance+
 8 (i) --application--for--original--license--including
 9 issuance--of--license--if--issued--each--insurer.....100.00
 10 (ii) --annual--continuation--or--renewal--of--license--each
 11 insurer.....100.00
 12 (k) examination for license as agent or solicitor,
 13 each examination 10.00
 14 (l) surplus line agent's license:
 15 (i) application for original license and for issuance
 16 of license, if issued 25.00
 17 (ii) annual renewal or continuation of license .. 25.00
 18 (m) adjuster's license:
 19 (i) application for original license and for issuance
 20 of license, if issued 10.00
 21 (ii) annual continuation or renewal of license .. 10.00
 22 (n) insurance vending machine license, each
 23 machine, each year 10.00
 24 (o) commissioner's certificate under seal (except
 25 when on certificates of authority or licenses) 3.00

1 ~~two~~ copies of documents on file in the
2 commissioner's office, per page50
3 ~~two~~ policy forms:
4 (i) filing each policy form 25.00
5 (ii) filing each application, rider, endorsement,
6 amendment, insert page, schedule or rates, and clarification
7 of risks 10.00
8 (iii) maximum charge if policy and all forms submitted
9 at one time or resubmitted for approval within 180 days
10 50.00

11 (2) The commissioner shall promptly deposit with the
12 state treasurer to the credit of the general fund of this
13 state all fees and licenses received by him under this
14 section."

15 Section 2. Section 33-17-218, MCA, is amended to read:
16 "33-17-218. Continuance and expiration of licenses.

17 (1) All solicitor and adjuster licenses issued under this
18 chapter, all agent licenses as to life and/or disability
19 insurance only, and all nonresident agent licenses shall
20 continue in force until expired, suspended, revoked, or
21 terminated but subject to payment to the commissioner
22 annually on or before May 1 of the applicable continuation
23 renewal fee as stated in 33-2-708, accompanied by written
24 request for such continuation. Such request for continuation
25 as to agent licenses for life insurance and/or disability

1 insurance only shall be made by the insurer in the form of
2 an alphabetical list in duplicate of the names and addresses
3 of its agents whose licenses are to be continued in this
4 state, accompanied by payment of the annual ~~continuation~~
5 renewal fee therefor as provided in 33-2-708. At the same
6 time the insurer shall also file with the commissioner an
7 alphabetical list in duplicate of the names and addresses of
8 all its agents whose licenses in this state are not to
9 remain in effect. Section 33-17-231(5) shall apply as to any
10 licenses so terminated by the insurer. As to a solicitor's
11 license, such request shall be signed by the agent by whom
12 the licensee is employed.

13 (2) Any license referred to in subsection (1) as to
14 which such fee and request for continuation are not received
15 by the commissioner as required in such subsection (1) shall
16 be deemed to have expired as of midnight on May 31 next
17 following. Request for continuation of any such license
18 and/or payment of the continuation renewal fee therefor
19 which is received by the commissioner after such May 1 and
20 prior to the next following June 15 may be accepted and
21 effectuated by the commissioner, in his discretion, if
22 accompanied by an annual continuation renewal fee in twice
23 the amount otherwise required.

24 (3) The license of an agent as to property, casualty,
25 or surety insurance shall continue in force as long as there

1 is in effect as to such agent as shown by the commissioner's
 2 records an appointment or appointments, as agent of
 3 authorized insurers, covering collectively all of the kinds
 4 of insurance included in the agent's license. Upon
 5 termination of all of such an agent's agency appointments as
 6 to a particular kind of insurance and failure to secure and
 7 file with the commissioner a new appointment as to such kind
 8 of insurance within 90 days thereafter, the agent's license
 9 shall automatically thereupon expire and terminate as to
 10 such kind of insurance and the licensee shall promptly
 11 deliver his license to the commissioner for reissuance,
 12 without fee or charge, as to the kinds of insurance covered
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 22 insurer, and pay the fee therefor as stated in 33-2-708. If
 23 the appointment includes casualty insurance, the agent may
 24 be appointed by the same insurer also as to disability
 25 insurance without requiring an additional appointment or

1 appointment fee.

2 (2) Subject to annual continuation by the insurer not
 3 later than May 31, each such appointment shall remain in
 4 effect until the agent's license is revoked or otherwise
 5 terminated unless written notice of earlier termination of
 6 the appointment is filed with the commissioner by the
 7 insurer or agent.

8 (3) Annually, prior to May 1, each insurer shall file
 9 with the commissioner an alphabetical list in duplicate of
 10 the names and addresses of all its agents whose appointments
 11 in this state are to remain in effect, accompanied by
 12 payment of the annual continuation-of-appointment ~~renewal~~
 13 fee as provided in 33-2-708. At the same time the insurer
 14 shall also file with the commissioner an alphabetical list
 15 in duplicate of the names and addresses of all its agents
 16 whose appointments in this state are not to remain in
 17 effect.

18 (4) Subject to the agent's contract rights, an insurer
 19 may terminate an agency appointment at any time. The insurer
 20 shall promptly give written notice of such termination to
 21 the commissioner and to the agent where reasonably possible.
 22 The commissioner may require of the insurer reasonable proof
 23 that the insurer has given such notice to the agent.

24 (5) As part of the notice of termination given the
 25 commissioner, the insurer shall file with the commissioner a

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1 statement of the facts relative to the termination and the
2 cause thereof. Any information or statement contained in the
3 notice of termination shall be privileged and shall not be
4 admissible as evidence in any action or proceeding against
5 the insurer or any representative thereof by or in behalf of
6 any person affected by such termination."

-End-