

HB 147 INTRODUCED BY NATHE  
TEMPORARY INSURANCE AGENT'S LICENSE AUTHORIZED  
BY REQUEST OF STATE AUDITOR

1/13 INTRODUCED  
1/13 REFERRED TO BUSINESS & LABOR  
1/22 HEARING  
1/22 TABLED IN COMMITTEE

1                    HB BILL NO. 147  
 2     INTRODUCED BY NATHAN  
 3                    BY REQUEST OF THE STATE AUDITOR

4  
 5     A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING THE  
 6     COMMISSIONER OF INSURANCE TO ISSUE A TEMPORARY INSURANCE  
 7     AGENT LICENSE TO AN INDIVIDUAL, PARTNERSHIP, OR CORPORATION  
 8     IF THE COMMISSIONER DETERMINES THAT ISSUING A TEMPORARY  
 9     INSURANCE AGENT LICENSE IS IN THE BEST INTEREST OF THE  
 10    INSURANCE CONSUMERS OF THIS STATE; AND AMENDING SECTION  
 11    33-17-216, MCA."

12  
 13    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14            Section 1. Section 33-17-216, MCA, is amended to read:  
 15            "33-17-216. Temporary agent licenses -- fee. (1) The  
 16     commissioner may issue a temporary license as agent to or  
 17     with respect to an individual qualified therefor only as to  
 18     age, residence, and trustworthiness and without requiring  
 19     such individual to take an examination, in the following  
 20     cases:

- 21            (a) to the surviving spouse or next of kin or to the
- 22     administrator or executor, or the employee of such
- 23     administrator or executor, of a licensed agent upon such
- 24     agent's death;
- 25            (b) to the spouse, next of kin, employee, or legal

1     guardian of a licensed agent disabled by injury or physical  
 2     or mental illness;

3            (c) to an employee of a firm, or officer or employee  
 4     of a corporation, licensed as agent, upon the death or  
 5     disability of an individual designated in the license to  
 6     exercise the powers thereof;

7            (d) to the designee of a licensed agent entering upon  
 8     active service in the armed forces of the United States of  
 9     America;

10            (e) to an individual, partnership, or corporation who  
 11     solicits applications for or negotiates insurance on behalf  
 12     of an insurer who has appointed the individual, partnership,  
 13     or corporation as the insurer's agent if the commissioner,  
 14     in his discretion, determines that issuing a temporary  
 15     insurance agent license is in the best interest of the  
 16     insurance consumers of this state.

17            (2) The temporary license shall be issued upon  
 18     application filed with the commissioner in such form and  
 19     containing such information as the commissioner may  
 20     reasonably require and upon payment of the applicable fee as  
 21     stated in 33-2-708.

22            (3) The temporary license shall be for a period of not  
 23     over 90 days, subject to extension by the commissioner in  
 24     his discretion for an additional period of not more than 90  
 25     days, except that such a license issued pursuant to

1 subsection (1)(a) may be continued without payment of an  
2 additional fee until the executor or administrator disposes  
3 of the insurance business but not to exceed a period of 15  
4 months. A temporary license issued to the next of kin under  
5 such subsection (1)(a) may not be extended for an additional  
6 term after the appointment and qualification of such an  
7 administrator or executor.

8 (4) The fee paid for the temporary license may be  
9 applied upon the fee required for a permanent license issued  
10 to the licensee upon or prior to expiration of the temporary  
11 license and covering the same kinds of insurance."

12 NEW SECTION. Section 2. Extension of authority. Any  
13 existing authority of the state auditor to make rules on the  
14 subject of the provisions of this act is extended to the  
15 provisions of this act.

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