

HOUSE BILL NO. 372
INTRODUCED BY MILLER
BY REQUEST OF THE STATE AUDITOR

IN THE HOUSE

JANUARY 21, 1987 INTRODUCED AND REFERRED TO COMMITTEE
 ON BUSINESS & LABOR.

FEBRUARY 6, 1987 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 7, 1987 PRINTING REPORT.

FEBRUARY 10, 1987 SECOND READING, DO PASS.

 ON MOTION, TAKEN FROM ENGROSSING
 AND REREFERRED TO COMMITTEE
 ON APPROPRIATIONS.

FEBRUARY 18, 1987 COMMITTEE RECOMMEND BILL
 DO PASS. REPORT ADOPTED.

FEBRUARY 19, 1987 PRINTING REPORT.

FEBRUARY 20, 1987 SECOND READING, DO PASS.

FEBRUARY 21, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 85; NOES, 7.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 23, 1987 INTRODUCED AND REFERRED TO COMMITTEE
 ON BUSINESS & INDUSTRY.

APRIL 1, 1987 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN. REPORT ADOPTED.

APRIL 4, 1987 SECOND READING, CONCURRED IN.

APRIL 6, 1987

THIRD READING, CONCURRED IN.
AYES, 48; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

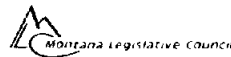
APRIL 7, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

1 HB BILL NO. 372
 2 INTRODUCED BY Wills
 3 BY REQUEST OF THE STATE AUDITOR
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN
 6 INSURANCE FEES; AND AMENDING SECTION 33-2-708, MCA."
 7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 9 Section 1. Section 33-2-708, MCA, is amended to read:
 10 "33-2-708. Fees and licenses. (1) The commissioner
 11 shall collect in advance and the persons so served shall so
 12 pay to the commissioner the following fees and licenses:
 13 (a) certificates of authority:
 14 (i) for filing applications for original certificates
 15 of authority, articles of incorporation (except original
 16 articles of incorporation of domestic insurers as provided
 17 in subsection (b) below) and other charter documents,
 18 bylaws, financial statement, examination report, power of
 19 attorney to the commissioner, and all other documents and
 20 filings required in connection with such application and for
 21 issuance of an original certificate of authority, if issued:
 22 (A) domestic insurers \$ ~~30.00~~ 300.00
 23 (B) foreign insurers 300.00
 24 (ii) annual continuation of certificate of authority ..
 25 300.00

1 (iii) reinstatement of certificate of authority
 2 25.00
 3 (iv) amendment of certificate of authority 50.00
 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~~ 25.00
 12 (c) filing bylaws or amendment thereto where required
 13 ~~5.00~~ 10.00
 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:
 18 (i) application for original license, including
 19 issuance of license, if issued (life and/or disability)
 20 ~~10.00~~ 15.00
 21 (ii) application for original license, including
 22 issuance of license, if issued (other than life and/or
 23 disability) ~~10.00~~ 15.00
 24 (iii) appointment of agent, each insurer 10.00
 25 (iv) annual renewal, each insurer 10.00



1 (v) temporary license 10.00
2 (vi) amendment of license (excluding additions thereto)
3 or reissuance of master license 10.00
4 (f) nonresident agent's license:
5 (i) application for original license, including
6 issuance of license, if issued (life and/or disability)
7 100.00
8 (ii) application for original license, including
9 issuance of license, if issued (other than life and/or
10 disability) 100.00
11 (iii) appointment of agent, each insurer 10.00
12 (iv) annual renewal, each insurer 10.00
13 (v) amendment of license (excluding additions thereto)
14 or reissuance of master license 10.00
15 (g) solicitor's license:
16 (i) application for original license, including
17 issuance of license, if issued ~~57.00~~ 15.00
18 (ii) annual renewal of license ~~57.00~~ 15.00
19 (iii) appointment of solicitor 10.00
20 (h) examination for license as agent or solicitor,
21 each examination ~~10.00~~ 15.00
22 (i) surplus line agent's license:
23 (i) application for original license and for issuance
24 of license, if issued ~~25.00~~ 50.00
25 (ii) annual renewal of license ~~25.00~~ 50.00

1 (j) adjuster's license:
2 (i) application for original license and for issuance
3 of license, if issued ~~10.00~~ 15.00
4 (ii) annual renewal of license ~~10.00~~ 15.00
5 (k) insurance vending machine license, each machine,
6 each year 10.00
7 (l) commissioner's certificate under seal (except when
8 on certificates of authority or licenses) ~~3.00~~ 10.00
9 (m) copies of documents on file in the commissioner's
10 office, per page50
11 (n) policy forms:
12 (i) filing each policy form 25.00
13 (ii) filing each application, rider, endorsement,
14 amendment, insert page, schedule of rates, and clarification
15 of risks 10.00
16 (iii) maximum charge if policy and all forms submitted
17 at one time or resubmitted for approval within 180 days
18 ~~50.00~~ 100.00
19 (2) The commissioner shall promptly deposit with the
20 state treasurer to the credit of the general fund of this
21 state all fines and penalties and those amounts received
22 pursuant to 33-2-311, 33-2-705, and 33-2-706 collected by
23 him pursuant to Title 33 and the rules adopted thereunder.
24 (3) All fees are considered fully earned when
25 received. In the event of overpayment, only those amounts in

1 excess of \$10 will be refunded.

2 (4) All fees and examination and miscellaneous
3 charges, except fines or penalties or those amounts received
4 pursuant to 33-2-311, 33-2-705, or 33-2-706, collected by
5 the commissioner pursuant to Title 33 and the rules adopted
6 thereunder must be deposited in the insurance regulatory
7 trust account pursuant to 17-2-121 through 17-2-123."

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB372, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to revise certain insurance fees; and amending section 33-2-708, MCA.

ASSUMPTIONS:

1. The number of applicants for the Amendment of Certificates of Authority (New) will be 48/year for both FY88 and FY89.
2. The number of applicants for the Appointment of Solicitor License (New) will be 250/year for both FY88 and FY89.
3. The number of applicants for the other effected fees will remain at FY85 levels for both FY88 and FY89.


FISCAL IMPACT:


	<u>FY88</u>			<u>FY89</u>		
	<u>Current</u>	<u>Proposed</u>	<u>Difference</u>	<u>Current</u>	<u>Proposed</u>	<u>Difference</u>
	<u>Law</u>	<u>Law</u>		<u>Law</u>	<u>Law</u>	
<u>State Special Revenue:</u>	\$126,033	\$243,530	\$117,497	\$126,033	\$243,530	\$117,497

Note: State law requires that any unexpended balance at the end of the fiscal year in the Insurance Regulatory Trust account be transferred to the state general fund. This legislation has the effect of increasing general fund revenue by \$117,497 for each year of the biennium.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

The legislation does not specify an effective date. It is assumed that an October 1, 1987, effective date is desired.

 DATE 1/27/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE Jan 27, 87
RON MILLER, PRIMARY SPONSOR
Fiscal Note for HB372, as introduced.

HB 372

APPROVED BY COMM. ON BUSINESS AND LABOR

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 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~~ 300.00
 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
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 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~~ 25.00
 13 (c) filing bylaws or amendment thereto where required
 14 ~~5-00~~ 10.00
 15 (d) filing annual statement of insurer, other than as
 16 part of application for original certificate of authority ..
 17 25.00
 18 (e) resident agent's license:
 19 (i) application for original license, including
 20 issuance of license, if issued (life and/or disability)
 21 ~~10-00~~ 15.00
 22 (ii) application for original license, including
 23 issuance of license, if issued (other than life and/or
 24 disability) ~~10-00~~ 15.00
 25 (iii) appointment of agent, each insurer 10.00



1 (iv) annual renewal, each insurer 10.00
2 (v) temporary license 10.00
3 (vi) amendment of license (excluding additions thereto)
4 or reissuance of master license 10.00
5 (f) nonresident agent's license:
6 (i) application for original license, including
7 issuance of license, if issued (life and/or disability)
8 100.00
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19 (ii) annual renewal of license ~~5.00~~ 15.00
20 (iii) appointment of solicitor 10.00
21 (h) examination for license as agent or solicitor,
22 each examination ~~10.00~~ 15.00
23 (i) surplus line agent's license:
24 (i) application for original license and for issuance
25 of license, if issued ~~25.00~~ 50.00

1 (ii) annual renewal of license ~~25.00~~ 50.00
2 (j) adjuster's license:
3 (i) application for original license and for issuance
4 of license, if issued ~~10.00~~ 15.00
5 (ii) annual renewal of license ~~10.00~~ 15.00
6 (k) insurance vending machine license, each machine,
7 each year 10.00
8 (l) commissioner's certificate under seal (except when
9 on certificates of authority or licenses) ~~3.00~~ 10.00
10 (m) copies of documents on file in the commissioner's
11 office, per page50
12 (n) policy forms:
13 (i) filing each policy form 25.00
14 (ii) filing each application, rider, endorsement,
15 amendment, insert page, schedule of rates, and clarification
16 of risks 10.00
17 (iii) maximum charge if policy and all forms submitted
18 at one time or resubmitted for approval within 180 days
19 ~~50.00~~ 100.00
20 (2) The commissioner shall promptly deposit with the
21 state treasurer to the credit of the general fund of this
22 state all fines and penalties and those amounts received
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1 received. In the event of overpayment, only those amounts in
2 excess of \$10 will be refunded.

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4 charges, except fines or penalties or those amounts received
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6 the commissioner pursuant to Title 33 and the rules adopted
7 thereunder must be deposited in the insurance regulatory
8 trust account pursuant to 17-2-121 through 17-2-123."

9 NEW SECTION. SECTION 2. EFFECTIVE DATE. THIS ACT IS
10 EFFECTIVE MAY 1, 1987.

-End-

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