

HOUSE BILL 585

Introduced by Davis

2/04	Introduced
2/06	Referred to Business & Economic Development
2/10	Hearing Died in Committee

1 House BILL NO. 585
 2 INTRODUCED BY Lands
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FEE TO
 5 BE CHARGED BY THE INSURANCE COMMISSIONER FOR WRITTEN
 6 REQUESTS FOR CERTAIN OPINIONS RELATING TO THE INSURANCE
 7 CODE; AMENDING SECTION 33-2-708, MCA; AND PROVIDING AN
 8 IMMEDIATE EFFECTIVE DATE."

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 certificates
 17 of authority, articles of incorporation (except original
 18 articles of incorporation of domestic insurers as provided
 19 in subsection (b) below) and other charter documents,
 20 bylaws, financial statement, examination report, power of
 21 attorney to the commissioner, and all other documents and
 22 filings required in connection with such application and for
 23 issuance of an original certificate of authority, if issued:

24 (A) domestic insurers \$ 300.00

25 (B) foreign insurers 300.00

1 (ii) annual continuation of certificate of authority ..
 2 300.00
 3 (iii) reinstatement of certificate of authority
 4 25.00
 5 (iv) amendment of certificate of authority 50.00
 6 (b) articles of incorporation:
 7 (i) filing original articles of incorporation of
 8 domestic insurer, exclusive of fees required to be paid by
 9 the corporation to the secretary of state 20.00
 10 (ii) filing amendment of articles of incorporation,
 11 domestic and foreign insurers, exclusive of fees required to
 12 be paid to the secretary of state by a domestic corporation
 13 25.00
 14 (c) filing bylaws or amendment thereto where required
 15 10.00
 16 (d) filing annual statement of insurer, other than as
 17 part of application for original certificate of authority ..
 18 25.00
 19 (e) resident agent's license:
 20 (i) application for original license, including
 21 issuance of license, if issued (life and/or disability)
 22 15.00
 23 (ii) application for original license, including
 24 issuance of license, if issued (other than life and/or
 25 disability) 15.00

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

1	of license, if issued	50.00
2	(ii) annual renewal of license	50.00
3	(j) adjuster's license:	
4	(i) application for original license and for issuance	
5	of license, if issued	15.00
6	(ii) annual renewal of license	15.00
7	(k) insurance vending machine license, each machine,	
8	each year	10.00
9	(l) commissioner's certificate under seal (except when	
10	on certificates of authority or licenses)	10.00
11	(m) copies of documents on file in the commissioner's	
12	office, per page50
13	(n) policy forms:	
14	(i) filing each policy form	25.00
15	(ii) filing each application, rider, endorsement,	
16	amendment, insert page, schedule of rates, and clarification	
17	of risks	10.00
18	(iii) maximum charge if policy and all forms submitted	
19	at one time or resubmitted for approval within 180 days	
20	100.00
21	<u>(o) written requests for opinions on exemptions,</u>	
22	<u>exceptions, or applicability of the provisions of Title 33 .</u>	
23	<u>.....</u>	<u>50.00</u>
24	(2) The commissioner shall promptly deposit with the	
25	state treasurer to the credit of the general fund of this	

1 state all fines and penalties, those amounts received
2 pursuant to 33-2-311, 33-2-705, and 33-2-706, and any fees
3 and examination and miscellaneous charges received pursuant
4 to Title 33, chapter 11, part 1, that are collected by him
5 pursuant to Title 33 and the rules adopted thereunder.

6 (3) All fees are considered fully earned when
7 received. In the event of overpayment, only those amounts in
8 excess of \$10 will be refunded.

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

15 NEW SECTION. **Section 2.** Effective date. [This act] is
16 effective on passage and approval.

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