

*****Adopted*****

AMENDMENT No. 1 TO AMENDMENT No. 1 PROPOSED TO

House Bill NO. 658

By Senator(s) Kirby

1 **AMEND by deleting lines 33 and 34 and inserting in lieu**

2 **thereof the following:**

3 of this act, or to domestic title insurance companies and their
4 agents licensed under Sections 83-15-1 through 83-15-11, except as
5 provided in Section 13 of this act.

6 **Further, amend by inserting the following after line 1029:**

7 (i) "Controlled business" means policies of insurance
8 to be issued to a producer, agent or solicitor or to his
9 relatives, business associates, employers or employees, or in
10 which they or either of them have an interest. No license shall
11 be granted or renewed to any agent or producer until the applicant
12 files an affidavit with the Commissioner of Insurance that the
13 applicant shall in good faith engage in the insurance business as
14 agent, producer or solicitor, and that he is not seeking a license
15 for the purpose of acquiring or saving commissions, premiums or
16 other valuable considerations on "controlled business." A
17 violation of this paragraph shall be deemed to be probable if the
18 commissioner finds that during any twelve-month period aggregate
19 commissions or other compensations accruing in favor of the
20 applicant with respect to his own interests or those of his
21 family, relatives, employers, employees or business associates, as
22 provided herein, have exceeded or will exceed thirty-five percent
23 (35%) of the aggregate amount of commissions accruing to him as
24 agent or his agency during such period of time. Nothing herein
25 contained shall prohibit the licensing under a limited license as
26 to motor vehicle physical damage insurance, any person employed by
27 or associated with a motor vehicle sales agency with respect to
28 insurance on a motor vehicle sold, serviced or financed by it.
29 Whenever employment is terminated of any such person employed by
30 or associated with any such agency, the Commissioner of Insurance
31 shall be notified, and the license shall be cancelled immediately.
32 It is further provided that the provisions of this paragraph
33 likewise shall not apply with respect to sales of insurance by a
34 lender or its affiliate covering the insurable interest of the
35 lender.