

By: Representative Stevens

To: Insurance

HOUSE BILL NO. 585

1 AN ACT TO AMEND SECTION 83-37-21, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE FEE FOR A DUPLICATE CERTIFICATE AS AN AGENT OF A
3 BURIAL ASSOCIATION; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 83-37-21, Mississippi Code of 1972, is
6 amended as follows:

7 83-37-21. When the above and foregoing provisions have been
8 complied with by any person, firm, association or corporation, the
9 insurance commissioner shall issue a license to such person, firm,
10 association or corporation upon the payment to him of a privilege
11 tax to engage in such business, according to the following
12 schedule, to-wit:

13	Any person, firm, association or corporation	
14	beginning the business or having not exceeding	
15	five hundred (500) contracts.....	\$ 50.00
16	Same, where contracts exceed five hundred (500) but	
17	do not exceed one thousand (1,000).....	100.00
18	Same, where contracts exceed one thousand (1,000)	
19	but do not exceed fifteen hundred (1500).....	150.00
20	Same, where contracts exceed fifteen hundred (1500)	
21	but do not exceed two thousand (2,000).....	200.00
22	Same, where contracts exceed two thousand (2,000)....	250.00

23 and the payment of said license shall exempt such person, firm,
24 association, or corporation from any other privilege tax on
25 account of said business. Provided, however, that nothing in this
26 chapter shall exempt any such person, firm, association or
27 corporation from the payment of any tax now imposed by law for

28 conducting an undertaker's business or selling coffins. Every
29 agent of any corporation organized or admitted to do business
30 hereunder shall be required to obtain from the Commissioner of
31 Insurance a perpetual agent certificate as prescribed in Sections
32 83-5-73 and 83-17-5, Mississippi Code of 1972, under the seal of
33 his office showing that the company for which he or she is agent
34 is licensed to do business in this state and that he or she is an
35 agent of said company and duly authorized to do business for it.
36 Every such agent on demand shall exhibit the said certificate to
37 the person from whom he or she shall solicit contracts, and every
38 such agent shall annually pay a privilege tax of Five Dollars
39 (\$5.00). The insurance commissioner may issue a duplicate
40 certificate in case of loss or destruction of the original
41 certificate and charge therefor a fee of Ten Dollars (\$10.00), and
42 the insurance commissioner shall have the right to pass upon the
43 qualifications of any such agent before issuing to him or her a
44 license, and for good cause shall have the right to cancel such
45 license.

46 Any person, firm, association or corporation liable for the
47 privilege tax imposed herein who shall fail to procure the license
48 therefor before beginning the business for which such privilege
49 tax is required, or who shall fail to renew, during the month in
50 which it is due, the license on said business for which a
51 privilege license has theretofore been issued, shall, in each or
52 either instance, be liable for the amount of the tax required for
53 such business and fifty percent (50%) thereof. It is hereby made
54 the duty of the insurance commissioner to collect the said tax and
55 penalty, and the commissioner, or his duly authorized
56 representative, may make immediate demand upon such person, firm,
57 association or corporation for the payment of such tax and
58 penalty, and proceed to collect the same as is provided by law for
59 the collection of other privilege licenses, penalties and damages.

60 **SECTION 2.** This act shall take effect and be in force from
61 and after July 1, 2004.