

By: Senator(s) Kirby

To: Insurance

SENATE BILL NO. 2616

1 AN ACT TO AMEND SECTION 83-17-39, MISSISSIPPI CODE OF 1972,
2 TO EXEMPT FROM EXAMINATION APPLICANTS WHO SHALL BE LICENSED TO ACT
3 ONLY AS A PRODUCER WITH RESPECT TO CREDIT PROPERTY INSURANCE; AND
4 FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 83-17-39, Mississippi Code of 1972, is
7 amended as follows:

8 83-17-39. (1) Each applicant for a license to act as a
9 producer within this state shall submit to a personal written
10 examination to determine his competence to act as a producer and
11 his familiarity with the pertinent provisions of the laws of this
12 state, and shall pass the same to the satisfaction of the
13 commissioner; except that no such written examination shall be
14 required of:

15 (a) An applicant for a renewal license unless the
16 commissioner determines that such examination is necessary to
17 establish the competency of the applicant, or unless a license had
18 not been effective as to such applicant within one (1) year
19 preceding the date of filing the application;

20 (b) An applicant who is a ticket-selling agent of a
21 railroad or steamship company, carrier by air, or public bus
22 carrier who shall act as a producer or solicitor in the sale of
23 accident insurance tickets to individuals;

24 (c) An applicant who shall be licensed to act only as a
25 producer with respect to life, health and accident insurance on
26 borrowers or debtors commonly known as credit life, health and
27 accident insurance;

28 (d) In the discretion of the commissioner, an applicant
29 whose license to do business or act as a producer in this state
30 was suspended less than one (1) year prior to the date of
31 application;

32 (e) An applicant who is an agent of a fraternal benefit
33 society exclusively; * * *

34 (f) An applicant who is exempt from examination under
35 the provisions of Section 83-17-67; and

36 (g) An applicant who shall be licensed to act only as a
37 producer with respect to property insurance on borrowers or
38 debtors commonly known as credit property insurance.

39 (2) The commissioner may establish rules and regulations
40 with respect to the classification of applicants according to the
41 type of insurance contracts to be effected by them if licensed as
42 producers, and with respect to the scope, type and conduct of
43 written examinations to be given pursuant to this section, and the
44 times and places within this state for the holding of such
45 examinations. Such rules and regulations, if established, shall
46 classify applicants for purposes of this section as follows:

47 (a) Those desiring to write life insurance;

48 (b) Those desiring to write accident and health
49 insurance, other than industrial accident and health insurance;

50 (c) Those desiring to write industrial accident and
51 health insurance;

52 (d) Those desiring to write any combination of two (2)
53 or more of the above classifications; and

54 (e) Those of such other classification as, in the
55 opinion of the commissioner, are necessary or appropriate.

56 Examination shall be prepared and given in those subjects
57 only which pertain to the classification or classifications which
58 the applicant desires to write, and no applicant shall be required
59 to take an examination on a subject or subjects pertaining to any
60 other classification.

61 The rules and regulations of the commissioner, if
62 established, shall designate textbooks, manuals and other
63 materials to be studied by applicants in preparation for
64 examination in each classification designated by the commissioner
65 pursuant to this section. Such textbooks, manuals or other
66 materials may consist of matter available to applicants by
67 purchase from the publisher, or may consist of matter prepared at
68 the direction of the commissioner and distributed to applicants
69 upon request therefor and payment of the reasonable cost thereof.
70 If textbooks, manuals or other materials shall have been
71 designated or prepared by the commissioner pursuant to this
72 section, all examination questions shall be prepared from the
73 contents of such textbooks, manuals or other materials.

74 **SECTION 2.** This act shall take effect and be in force from
75 and after its passage.