

By: Senator(s) Kirby

To: Insurance

SENATE BILL NO. 2076

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.