

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 481*

Short Title: Insurance Department Fees.

(Public)

Sponsors: Representative Beard.

Referred to: Finance.

April 1, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO RAISE MISCELLANEOUS FEES COLLECTED BY THE
3 DEPARTMENT OF INSURANCE.
4 The General Assembly of North Carolina enacts:
5 Section 1. G.S. 58-27-10 reads as rewritten:
6 "§ 58-27-10. Licenses.
7 Any domestic land mortgage company, or title insurance company, wishing to do
8 business under the provisions of this Article upon making written application and
9 submitting proof satisfactory to the Commissioner of Insurance that its business, capital
10 and other qualifications comply with the provisions of this Article, upon paying to the
11 ~~Commissioner of Insurance, Commissioner,~~ the sum of ~~two hundred dollars (\$200.00)~~ five
12 hundred dollars (\$500.00) as a license fee and all other fees assessed against such
13 company may be licensed to do business in this State under the provisions of this
14 Article until the first day of the following July, and may have its license renewed for
15 each year thereafter so long as it complies with the provisions of this Article and such
16 ~~rules and regulations as may be promulgated~~ adopted by the ~~Commissioner of Insurance.~~
17 Commissioner. For each such renewal such company shall pay to the Commissioner of
18 ~~Insurance~~ the sum of ~~two hundred dollars (\$200.00)~~ five hundred dollars (\$500.00), and all
19 other fees assessed against such company and such renewal shall continue in force and
20 effect until a new license be issued or specifically refused, unless revoked for good
21 cause. The ~~Commissioner of Insurance, Commissioner,~~ or any person appointed by him,
22 shall have the power and authority to make such rules and regulations and examinations
23 not inconsistent with the provisions of this Article, as may be in his discretion necessary
24 or proper to enforce the provisions hereof and secure compliance with the terms of this

1 Article. For any examination made hereunder the Commissioner ~~of Insurance~~ shall
2 charge the land mortgage companies or title insurance companies examined with the
3 actual expense of such examination."

4 Sec. 2. G.S. 58-69-10 reads as rewritten:

5 **"§ 58-69-10. Applications for licenses; fees; bonds or deposits.**

6 Licenses hereunder shall be obtained by filing written application therefor with the
7 Commissioner in such form and manner as the Commissioner shall require. As a
8 prerequisite to issuance of a license:

9 (1) The applicant shall furnish to the Commissioner such data and
10 information as the Commissioner may deem reasonably necessary to
11 enable him to determine, in accordance with the provisions of G.S. 58-
12 69-15, whether or not a license should be issued to the applicant.

13 (2) If the applicant is a motor club it shall be required to pay to the
14 Commissioner ~~an a nonrefundable annual license fee of two hundred~~
15 ~~dollars (\$200.00)~~ three hundred dollars (\$300.00) and to deposit or file
16 with the Commissioner a bond, in favor of the State of North Carolina
17 and executed by a surety company duly authorized to transact business
18 in this State, in the amount of fifty thousand dollars (\$50,000), or
19 securities of the type hereinafter specified in the amount of fifty
20 thousand dollars (\$50,000), pledged to or made payable to the State of
21 North Carolina and conditioned upon the full compliance by the
22 applicant with the provisions of this Article and the regulations and
23 orders issued by the Commissioner pursuant thereto, and upon the
24 good faith performance by the applicant of its contracts for motor club
25 services.

26 (3) If the applicant is a branch or district office of a motor club licensed
27 under this Article it shall pay to the Commissioner a nonrefundable
28 license fee of twenty dollars (\$20.00) ~~—fifty dollars (\$50.00).~~

29 (4) If the applicant is a franchise motor club it shall pay to the
30 Commissioner ~~an a nonrefundable annual license fee of fifty dollars~~
31 ~~(\$50.00)~~ one hundred dollars (\$100.00) and shall deposit or file with
32 the Commissioner a bond, in favor of the State of North Carolina and
33 executed by a surety company duly authorized to transact business in
34 this State, in the amount of fifty thousand dollars (\$50,000), or
35 securities of the type hereinafter specified in the amount of fifty
36 thousand dollars (\$50,000), pledged to or made payable to the State of
37 North Carolina and conditioned upon the full compliance by the
38 applicant with the provisions of this Article and the regulations and
39 orders issued by the Commissioner pursuant thereto and upon the good
40 faith performance by the applicant of its contracts for motor club
41 services.

42 (5) Any applicant depositing securities under this section shall do so in the
43 form and manner as prescribed in Article 5 of this Chapter, and the

1 provisions of Article 5 of this Chapter, shall be applicable to securities
2 pledged under this Article."

3 Sec. 3. G.S. 58-70-35 reads as rewritten:

4 **"§ 58-70-35. Application fee; issuance of permit; contents and duration.**

5 (a) Upon the filing of the application and information ~~hereinbefore required,~~
6 ~~required by this Article,~~ the Commissioner ~~may require the applicant to~~ shall pay a
7 nonrefundable fee of five hundred dollars (\$500.00), and no permit may be issued until
8 this fee is paid. ~~If the application is denied, the Commissioner shall retain fifty dollars~~
9 ~~(\$50.00) of the application fee and return the remainder to the applicant. The fifty dollars~~
10 ~~(\$50.00) so retained upon applications not granted, and the full fee of five hundred dollars~~
11 ~~(\$500.00) upon the applications granted,~~ Fees collected under this subsection shall be used
12 in paying the expenses incurred in connection with the consideration of such
13 applications and the issuance of such permits.

14 (b) Each permit shall state the name of the applicant, his place of business, and
15 the nature and kind of business in which he is engaged. The Commissioner shall assign
16 to the permit a serial number for each year, and each permit shall be for a period of one
17 year, beginning with July 1 and ending with June 30 of the following year.

18 (c) A permit is assignable or transferable only if the assignee or transferee
19 qualifies under the provisions of this Article. Upon any change in ownership of a
20 permittee, if a sole proprietorship or partnership, or upon a change in ownership of more
21 than fifty percent (50%) of the shares or voting rights of a corporate permittee, a permit
22 issued to a permittee is void unless within 30 days of the change of ownership the new
23 owner or owners have satisfied the Commissioner that he or they qualify for a permit
24 under this Article, and he or they maintain a bond in accordance with and in the amount
25 required for a renewal bond under G.S. 58-70-20."

26 Sec. 4. G.S. 58-71-55 reads as rewritten:

27 **"§ 58-71-55. License fees.**

28 A nonrefundable license fee of ~~sixty dollars (\$60.00)~~ one hundred dollars (\$100.00)
29 shall be paid to the Commissioner with each application for license as a professional
30 bondsman and a license fee of ~~twenty dollars (\$20.00)~~ sixty dollars (\$60.00) shall be paid
31 to the Commissioner with each application for license as a runner."

32 Sec. 5. G.S. 58-71-70 reads as rewritten:

33 **"§ 58-71-70. Examination; fees.**

34 Except as hereinafter provided, an applicant for license to be a professional
35 bondsman or runner shall be required to appear in person and take a written examination
36 prepared by the Commissioner testing his ability and qualifications. Each applicant
37 shall become eligible for examination 30 days after the date the application is received
38 by the Commissioner. Examinations shall be held at such time and place as designated
39 by the Commissioner, and the applicant shall be given notice of such time and place not
40 less than 15 days prior to taking the examination. The fee for such examination shall be
41 ~~fifteen dollars (\$15.00)~~ twenty-five dollars (\$25.00) for professional bondsmen and ~~ten~~
42 ~~dollars (\$10.00)~~ twenty dollars (\$20.00) for runners. These examination fees are
43 nonrefundable. The failure of an applicant to pass an examination shall not preclude

1 him from taking subsequent examinations; provided, however, that at least one year
2 must intervene between examinations.

3 ~~No person shall be required to submit to examination to obtain license as a~~
4 ~~professional bondsman if he is now licensed by the Commissioner of Insurance or the~~
5 ~~Secretary of Revenue and is performing the functions of a bondsman on the taking~~
6 ~~effect of this Article, and no person shall be required to submit to examination to obtain~~
7 ~~license as a runner if he is performing the functions of a runner on the taking effect of~~
8 ~~this Article."~~

9 Sec. 6. G.S. 58-71-75 reads as rewritten:

10 **"§ 58-71-75. Renewal of licenses; fees.**

11 A renewal license shall be issued by the Commissioner to a licensee who has
12 continuously maintained his license in effect without further examination upon the
13 payment of a renewal fee of ~~ten dollars (\$10.00)~~ sixty dollars (\$60.00) in case of runners
14 and ~~thirty dollars (\$30.00)~~ one hundred dollars (\$100.00) in case of professional
15 bondsmen, but such licensees shall in all other respects be required to comply with and
16 be subject to the provisions of this Article. After the receipt of such licensee's
17 application for renewal, the current license shall continue in effect until the renewal
18 license is issued or denied for cause."

19 Sec. 7. G.S. 58-33-125(c) reads as rewritten:

20 "(c) Any person not registered who is required by law or administrative rule to
21 secure a license shall, upon application for registration, pay to the Commissioner a fee
22 of thirty dollars (\$30.00). In the event additional licensing for other kinds of insurance
23 is requested, a fee of ~~twenty dollars (\$20.00)~~ thirty dollars (\$30.00) shall be paid to the
24 Commissioner upon application for registration for each additional kind of insurance.

25 In addition to the fees prescribed by this subsection, any person applying for a
26 supplemental license to sell Medicare supplement and long-term care insurance policies
27 shall pay an additional fee of ~~fifteen dollars (\$15.00)~~ thirty dollars (\$30.00) upon
28 application for registration for those kinds of insurance."

29 Sec. 8. This act is effective upon ratification.