

# HOUSE BILL No. 4360

March 7, 1989, Introduced by Reps. Clack, Bartnik, Weeks, Stallworth, Runco, DeMars, Leland and Perry Bullard and referred to the Committee on Insurance.

A bill to amend section 240 of Act No. 218 of the Public Acts of 1956, entitled as amended "The insurance code of 1956," as amended by Act No. 261 of the Public Acts of 1987, being section 500.240 of the Michigan Compiled Laws; and to add section 229.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 240 of Act No. 218 of the Public Acts of  
2 1956, as amended by Act No. 261 of the Public Acts of 1987, being  
3 section 500.240 of the Michigan Compiled Laws, is amended and  
4 section 229 is added to read as follows:

5 SEC. 229. (1) THERE IS CREATED WITHIN THE INSURANCE BUREAU  
6 OF THE DEPARTMENT OF LICENSING AND REGULATION A SENIOR CITIZEN  
7 COMPLAINT UNIT. THE UNIT SHALL INVESTIGATE COMPLAINTS RELATING  
8 TO UNETHICAL AND ILLEGAL PRACTICES BY INSURERS AND THEIR AGENTS

1 IN THE MARKETING OF LIFE AND HEALTH INSURANCE TO SENIOR  
2 CITIZENS.

3 (2) AS USED IN THIS SECTION, "SENIOR CITIZEN" MEANS A STATE  
4 RESIDENT WHO IS 60 YEARS OF AGE OR OLDER, AND THE SPOUSE OF THAT  
5 STATE RESIDENT REGARDLESS OF AGE.

6 Sec. 240. (1) The commissioner shall collect, and the  
7 person affected shall pay to the commissioner, the following  
8 fees:

9 (a) Filing fee for original authorization to transact insur-  
10 ance in this state, for each domestic insurer, and each foreign  
11 and alien insurer..... \$ 25.00.

12 (b) Filing fee for annual statement of foreign and alien  
13 insurers, each year, subject to section 476a..... \$ 25.00.

14 (c) Agent's appointment fee, resident or nonresident, pay-  
15 able by insurer so represented, for each agent, each  
16 year..... \$ 5.00.

17 (d) Application fee payable by each initial applicant for  
18 license as resident agent, nonresident agent, surplus lines  
19 agent, solicitor, counselor, or adjuster, not transferable or  
20 refundable..... \$ 10.00.

21 (e) Solicitor's license, each year..... \$ 10.00.

22 (f) Insurance counselor license, each year..... \$ 10.00.

23 (g) Adjuster's license, each year..... \$ 5.00.

24 (h) License examination fee, payable by applicant for all  
25 subjects covered in any 1 examination, or portion of an examina-  
26 tion, for license as resident agent, surplus lines agent,

1 solicitor, counselor, or adjuster, each examination, not  
 2 transferable or refundable..... \$ 10.00.

3 (i) Surplus lines agent license each year..... \$100.00.

4 (J) SENIOR CITIZEN INSURANCE AGENT LICENSE..... \$100.00.

5 (K) ~~(j)~~ Certification of records..... \$ 2.00.

6 (2) Each incorporated domestic insurer shall pay to the  
 7 attorney general, for the examination of the insurer's articles  
 8 of incorporation or any amendments to the articles of incorpora-  
 9 tion, the sum of \$25.00.

10 (3) The fees and charges for official services performed by  
 11 the commissioner or the commissioner's deputies or employees,  
 12 when collected, shall be turned over to the state treasurer and a  
 13 receipt taken. The fees and charges provided for in this section  
 14 shall be deposited in the state treasury to the credit of the  
 15 general fund.

16 (4) The provisions of subsection (1)(h), insofar as they  
 17 provide for examination fees, are applicable only if the examina-  
 18 tions are administered by the commissioner. If the examinations  
 19 are administered by some designated authority other than the com-  
 20 missioner, appropriate examination fees shall be payable directly  
 21 to the designated authority.

22 (5) THE FEES COLLECTED PURSUANT TO SUBSECTION (1)(J) SHALL  
 23 BE EARMARKED FOR THE SENIOR CITIZEN COMPLAINT UNIT OF THE INSUR-  
 24 ANCE BUREAU.

25 Section 2. This amendatory act shall not take effect unless  
 26 Senate Bill No. \_\_\_\_ or House Bill No. 4358 (request  
 27 no. 00715'89) of the 85th Legislature is enacted into law.