

BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

IN THE MATTER OF:

**CHAPTER 120-2-3
REGULATIONS REGARDING
BIENNIAL LICENSES**

)
)
)
)
)
)

DOCKET NUMBER I-12-I-2

ORDER

I. STATEMENT OF PROCEEDINGS

On July 26, 2012, Notice of Intent to Adopt Rule Changes and Notice of Hearing was given regarding the following proposed regulatory actions (Record, Exhibit 1):

- The repeal of Emergency Regulation 120-2-3-0.25-.05 entitled "Licensure of Agencies" and the adoption of 120-2-3-.05 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.15 entitled "Resident Continuing Education Requirements" and the adoption of 120-2-3-.15 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.16 entitled "Dates for Resident License Renewal and Required Filing of Continuing Education Credits" and the adoption of 120-2-3-.16 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.19 entitled "Exemptions or Reductions in Requirements for Continuing Education" and the adoption of 120-2-3-.19 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.29 entitled "Resident Credit Insurance Agents and Limited Subagents" and the adoption of 120-2-3-.29 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.31 entitled "Limited Subagent License" and the adoption of 120-2-3-.31 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.34 entitled "Nonresident License Requirements" and the adoption of 120-2-3-.34 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.35 entitled "Nonresident License Renewals" and the adoption of 120-2-3-.35 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.39 entitled "Retail Vendors of Communications Equipment Limited License" and the adoption of 120-2-3-.39 with the same title;
- The repeal of Emergency Regulation 120-2-3-0.25-.45 entitled "Rental Company License" and the adoption of 120-2-3-.45 with the same title.

By letter dated July 31, 2012, the Office of the Attorney General opined that the proposed regulatory actions were within this office's scope of authority (Record, Exhibit 5). Pursuant to O.C.G.A. Section 50-13-4(e), the proposed regulatory actions were transmitted to Wayne R. Allen, Legislative Counsel for the General Assembly, for assignment to the appropriate standing committees of the Senate and House of Representatives (Record, Exhibit 6) and was assigned accordingly (Record, Exhibit 7).

II. CONSIDERATION OF SUBMITTED COMMENTS

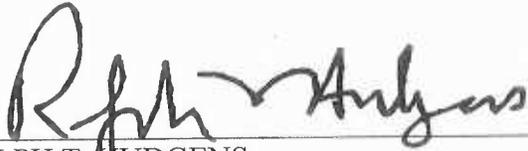
Interested persons were given the opportunity to participate in the proposed rulemaking by submitting their written comments by August 30, 2012, and by making oral comments at the public hearing held September 5, 2012. The Administrative Procedure Division of this office only received one letter (Record, Exhibit 8). In that letter, Curtis C. Leonard of the American Council of Life Insurers ("ACLI") requested that Regulation 120-2-3-.15(2)(f) be modified from "before the second January 1 calendar year cycle" to "during each biennial license cycle" as such change would be consistent with the other proposed changes. ACLI notes that granted its request would provide the agents with 24 months to complete educational requirements and would help them track their license expiration dates.

Tammy Holmes, the Director of the Agents Licensing Division of this office, was the only person to offer oral comment at the hearing on the proposed regulatory changes. According to Ms. Holmes, the proposed regulatory changes are necessary so that the Rules and Regulations of this office remain in compliance with recent changes to Title 33 of the Georgia Code which resulted from passage earlier this year of Georgia House Bill 477.

III. DECISION

WHEREAS, this office agrees with the written comment submitted by ACLI and thereby **GRANTS** ACLI's request, and **WHEREAS** this office agrees with Ms. Holmes' comments in support of the need for the proposed regulatory changes, and **WHEREAS**, no comments were offered in opposition to those changes, **IT IS HEREBY ORDERED** that the proposed changes to the regulations within Chapter 120-2-3 entitled "Regulations Regarding Biennial Licenses," a copy of which is attached hereto and made a part by reference, are **HEREBY ADOPTED**.

Given under my Hand and Seal this 7th day of September, 2012.



RALPH T. HUDGENS
INSURANCE AND SAFETY FIRE COMMISSIONER
STATE OF GEORGIA