

BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

NOTICE OF INTENT TO ADOPT RULE CHANGES AND NOTICE OF HEARING

Notice is hereby given pursuant to the Georgia Administrative Procedure Act, O.C.G.A. Sections 50-13-3, 50-13-4, 50-13-6, 50-13-21, and, 33-2-9 of the following proposals by the Commissioner of Insurance to amend the Rules and Regulations of the Office of the Commissioner of Insurance. Such Rules and Regulations are proposed to be amended by the following actions:

Rule 120-2-3-.39

-Repealing Regulation 120-2-3-.39 entitled "Retail Vendors of Communications Equipment Limited License" and adopting in lieu thereof Regulation 120-2-3-.39 entitled "Retail Vendors of Portable Electronics Limited License";

Rules 120-2-3-.25 and 120-2-3-.06

-Amending Regulations 120-2-3-.25 entitled "Resident Adjusters, Public Adjusters, Crop Hail Adjusters and Emergency Disaster Adjusters" and 120-2-3-.06 entitled "Kinds of Licenses Issued"; and

Rule 120-2-3-.16

-Amending Regulation 120-2-3-.16 entitled "Dates for Resident License Renewal and Required Filing of Continuing Education Credits."

SYNOPSIS AND EXPLANATION OF PROPOSED RULE CHANGES

Rule 120-2-3-.39

By the end of the 2012 Session of the Georgia General Assembly, House Bill 1067 had passed both chambers of the legislative body and on May 7, 2012 it was signed into law by the Governor. The Bill made statutory changes to Title 33, Chapter 23. The primary purpose of the proposed changes to Rule and Regulation 120-2-3-.39 is to incorporate those statutory changes into the Rules and Regulations of the Office of the Commissioner of Insurance. The terminology "portable electronics" is substituted for "communications equipment." Moreover, the proposed changes clarify that the limited license described therein is required only for principal or home offices but not for each business location.

The full text of the proposed Regulation 120-2-3-.39 entitled "Retail Vendors of Portable Electronics Limited License" is attached hereto and made a part hereof by reference.

Rules 120-2-3-.25 and 120-2-3-.06

The proposed amendments to Regulations 120-2-3-.25 entitled "Resident Adjusters, Public Adjusters, Crop Hail Adjusters and Emergency Disaster Adjusters" and 120-2-3-.06 entitled "Kinds of Licenses Issued" are being offered consistent with direction from the Risk Management Agency of the United States Department of Agriculture. Changes to the former Regulation would replace the Georgia crop hail adjuster examination with a federal proficiency testing program. Changes to the latter Regulation would expand the scope of the crop hail adjusters' license beyond crop hail to include multi-peril crop insurance.

The full texts of the proposed amended Regulations 120-2-3-.25 entitled "Resident Adjusters, Public Adjusters, Crop Hail Adjusters and Emergency Disaster Adjusters" and 120-2-3-.06 entitled "Kinds of Licenses Issued" are attached hereto and made a part hereof by reference.

Rule 120-2-3-.16

The proposed amendments to Regulation 120-2-3-.16 would allow for the automatic assessment of a \$150.00 penalty for the untimely filing of license renewals. At present, the Department handles late renewal reinstatements and the accompanying \$150.00 administrative fine through time-consuming consent agreements. The purpose of the proposed amendments is to streamline the license reinstatement process.

The full text of the proposed Regulation 120-2-3-.16 entitled "Dates for Resident License Renewal and Required Filing of Continuing Education Credits" is attached hereto and made a part hereof by reference.

SCHEDULE

The aforesaid proposals, which are being forwarded to the Attorney General for approval as to legality pursuant to O.C.G.A. Section 33-2-9, are now on file in the Administrative Procedure Division of the Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334, and are hereby declared to be a public record as follows:

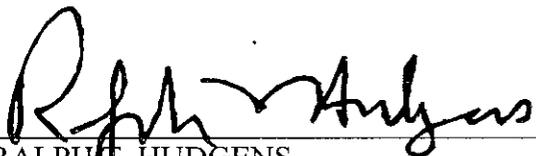
Interested persons may participate in the proposed rulemaking process by submitting their written comments to **Vince Wiegand, Administrative Procedure Division, Office of Commissioner of Insurance, 1016 West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334. All written comments must be received by the Administrative Procedure Division by 4:30 p.m. on Friday, March 8, 2013.** Interested persons may also participate in the proposed rulemaking by submitting oral comments at the hearing to commence at **9:00 a.m. on Tuesday, March 12, 2013, in the Hearing Room of the Office of Commissioner of Insurance, Seventh Floor, West Tower, Floyd Building, Two Martin Luther King, Jr. Drive, Atlanta, Georgia 30334.**

Oral presentations at the hearing may be limited to five (5) minutes per person in order to

afford all interested persons an opportunity to be heard. If you have a physical impairment and require assistance or have any questions regarding this notice, please contact the Administrative Procedure Division.

Based upon full consideration of all written and oral comments regarding the above matters, the Commissioner of Insurance may reject or adopt the proposed rules or may make changes to the proposed rules which may require another rulemaking hearing.

Given under my Hand and Official Seal this 28th day of January, 2013.



RALPH T. HUDGENS
COMMISSIONER OF INSURANCE
STATE OF GEORGIA

Direct All Correspondence To:
Vince Wiegand
Administrative Procedure Division
916 West Tower, Floyd Building
2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334
Telephone Number (404) 651-6503
vwiegand@oci.ga.gov