

**RULES AND REGULATIONS OF
THE INSURANCE COMMISSIONER**

CHAPTER 120-2-3

**REGUALTIONS REGARDING AGENTS, SUBAGENTS, COUNSELORS, ADJUSTERS,
SURPLUS LINES BROKERS, AND AGENCIES**

TABLE OF CONTENTS

RULE 120-2-3-.29. Resident Credit Insurance Agents and Limited Subagents

(1) Resident Credit Insurance Agent:

(a) To be eligible for a resident credit insurance agent license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees. Upon application to the Commissioner, a license for an agent limited to credit insurance shall be issued to any resident individual provided:

1. The individual otherwise meets the requirements for an agent license under Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation; and

2. The application process shall include sponsorship by an insurer licensed to do business in this state. Prior to issuance of the license, the sponsor shall agree to appoint the applicant as a representative of the company. The sponsor shall affirm that an investigation of the general character of the applicant has been conducted by an agency not affiliated with the insurer and that the sponsor recommends the applicant for a license. Such investigation shall include a criminal background check; and

3. The insurer and applicant certify that the applicant has read the following laws and regulations:

(i) Chapters 6, 7, 24, 27, 30, and 31 of Title 33 of the Official Code of Georgia Annotated; and O.C.G.A. §§33-1-9, 33-1-16, 33-2-12, and 33-2-15.

(ii) Rule and Regulations of the State of Georgia Department 120 Chapter 2 Subject 27.

(b) No prelicensing education shall be required other than the certification of compliance with Rules 120-2-3-.29(1)(a)3.(i) and (ii).

(c) No examination shall be required for the issuance of such license.

(d) Effective January 1, 2010, the application process for an agent license will no longer require sponsorship by an insurer. Upon issuance of the agent license, the licensee must obtain a certificate of authority from each insurer that they will represent.

(e) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(2) Resident Limited Subagent:

(a) To be eligible for a resident limited subagent credit license issued in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees. The application shall include sponsorship by a licensed resident agent who agrees to assume responsibility for the limited subagent's acts; and,

1. The application process shall include sponsorship by a resident agent licensed to do business in this state. Prior to issuance of the license, the sponsoring agent shall agree to appoint the applicant as a representative of the agent. The sponsoring agent shall affirm that an investigation of the general character of the applicant has been conducted by an agency not affiliated with the agent and that the sponsoring agent recommends the applicant for a license. Such investigation shall include a criminal background check; and

2. Both the applicant and the sponsoring agent certify that the applicant has read the following laws and regulations:

(i) Chapters 6, 7, 24, 27, 30, and 31 of Title 33 of the Official Code of Georgia Annotated; and O.C.G.A. §§33-1-9, 33-1-16, 33-2-12, and 33-2-15.

(ii) Rule and Regulations of the State of Georgia Department 120 Chapter 2 Subject 27.

(b) No prelicensing education shall be required other than the certification of compliance with Rules 120-2-3-.29(2)(a)3.(i) and (ii).

(c) No examination shall be required for issuance of such license.

(d) The sponsoring agent shall hold the credit insurance limited subagent's license and return such license to the Commissioner upon termination of the subagent's authority.

(e) The termination, cancellation, or nonrenewal of the sponsoring agent's license will result in the cancellation of the limited subagent's license.

(f) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(3) License Renewal and Continuing Education Filing Requirements. Each year by the dates specified in Rule 120-2-3-.16, license renewals must be filed on forms prescribed by the Commissioner, accompanied by the appropriate fee; additionally, credit insurance agents and limited subagents must file as follows:

(a) Resident Credit Insurance Agent. The insurer shall certify to the Commissioner that the credit insurance agent has spent a minimum of five (5) hours of self-study during the preceding year in credit insurance subjects specified in Rules 120-2-3-.29(1)(a)3.(i) and (ii). In lieu of such certification, the agent may submit evidence of completion of a minimum of five (5) hours of classroom study or equivalent correspondence or other individual study programs as provided in this Regulation, provided such study includes credit insurance subjects specified in Rules 120-2-3-.29(1)(a)3.(i) and (ii). After conversion to a biennial license and upon subsequent renewal, each credit licensee is required to provide proof of ten (10) hours of self-study or continuing education.

(b) Resident Limited Subagent. The sponsoring agent shall certify to the Commissioner that the credit insurance limited subagent has received at least five (5) hours of self-study during the preceding year in credit insurance subjects specified in Rules 120-2-3-.29(2)(a)3.(i) and (ii). In lieu of such certification, the limited subagent may submit evidence of completion of a minimum of five (5) hours of classroom study or equivalent correspondence or other individual study programs as provided in this Regulation, provided such study includes credit insurance subjects specified in Rules 120-2-3-.29(2)(a)3.(i) and (ii). The limited subagent certificate of authority must be renewed in conjunction with the limited subagent license renewal. After conversion to biennial license and upon subsequent renewal, each credit licensee is required to provide proof of ten (10) hours of self-study or continuing education.

Authority:

O.C.G.A. Secs. 33-2-9, 33-23-5, 33-23-5.1, 33-23-8, 33-23-10, 33-23-12, 33-23-15, 33-23-17, 33-23-18, 33-23-27, 33-23-28, 33-23-44.