

1 HOUSE BILL NO. 892

2 INTRODUCED BY J. GILLETTE

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE USE OF INSURANCE TAX REVENUE
5 FOR PROPERTY TAX RELIEF; TRANSFERRING A PORTION OF INSURANCE TAX REVENUE TO THE
6 STATE PROPERTY TAX ASSISTANCE ACCOUNT; PROVIDING AN APPROPRIATION; AMENDING
7 SECTION 33-2-708, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10

11 **Section 1.** Section 33-2-708, MCA, is amended to read:

12 **"33-2-708. Fees and licenses.** (1) (a) Except as provided in subsection (5), the commissioner shall
13 collect a fee of \$1,900 from each insurer applying for or annually renewing a certificate of authority to conduct
14 the business of insurance in Montana.

15 (b) The commissioner shall collect certain additional fees as follows:

16 (i) nonresident insurance producer's license:

17 (A) application for original license, including issuance of license, if issued, \$100;

18 (B) biennial renewal of license, \$50;

19 (C) lapsed license reinstatement fee, \$100;

20 (ii) resident insurance producer's license lapsed license reinstatement fee, \$100;

21 (iii) surplus lines insurance producer's license:

22 (A) application for original license and for issuance of license, if issued, \$50;

23 (B) biennial renewal of license, \$100;

24 (C) lapsed license reinstatement fee, \$200;

25 (iv) insurance adjuster's license:

26 (A) application for original license, including issuance of license, if issued, \$50;

27 (B) biennial renewal of license, \$100;

28 (C) lapsed license reinstatement fee, \$200;

- 1 (v) insurance consultant's license:
- 2 (A) application for original license, including issuance of license, if issued, \$50;
- 3 (B) biennial renewal of license, \$100;
- 4 (C) lapsed license reinstatement fee, \$200;
- 5 (vi) viatical settlement broker's license:
- 6 (A) application for original license, including issuance of license, if issued, \$50;
- 7 (B) biennial renewal of license, \$100;
- 8 (C) lapsed license reinstatement fee, \$200;
- 9 (vii) resident and nonresident rental car entity producer's license:
- 10 (A) application for original license, including issuance of license, if issued, \$100;
- 11 (B) quarterly filing fee, \$25;
- 12 (viii) an original notification fee for a life insurance producer acting as a viatical settlement broker, in
- 13 accordance with 33-20-1303(2)(b), \$50;
- 14 (ix) navigator certification:
- 15 (A) application for original certification, including issuance of certificate if issued, \$100;
- 16 (B) biennial renewal of certification, \$50;
- 17 (C) lapsed certification reinstatement fee, \$100;
- 18 (x) 50 cents for each page for copies of documents on file in the commissioner's office.
- 19 (c) The commissioner may adopt rules to determine the date by which a nonresident insurance
- 20 producer, a surplus lines insurance producer, an insurance adjuster, an insurance public adjuster, or an
- 21 insurance consultant is required to pay the fee for the biennial renewal of a license.
- 22 (2) (a) The commissioner shall charge a fee of \$75 for each course or program submitted for
- 23 review as required by 33-17-1204 and 33-17-1205, but may not charge more than \$1,500 to a sponsoring
- 24 organization submitting courses or programs for review in any biennium.
- 25 (b) Insurers and associations composed of members of the insurance industry are exempt from the
- 26 charge in subsection (2)(a).
- 27 (3) (a) Except as provided in ~~subsection~~ subsections (3)(b) and (3)(c), the commissioner shall
- 28 promptly deposit with the state treasurer to the credit of the general fund all fines and penalties and those

1 amounts received pursuant to 33-2-311, 33-2-705, 33-28-201, and 50-3-109.

2 (b) The commissioner shall deposit 33% of the money collected under 33-2-705 in the special
3 revenue account provided for in 53-4-1115.

4 (c) At the end of each fiscal year, the commissioner shall transfer \$10 million of the money
5 collected under 33-2-705 to the state property tax assistance account provided for in [section 2 of Senate Bill
6 No. 90].

7 (e)(d) All other fees collected by the commissioner pursuant to Title 33 and the rules adopted under
8 Title 33 must be deposited in the state special revenue fund to the credit of the state auditor's office.

9 (4) All fees are considered fully earned when received. In the event of overpayment, only those
10 amounts in excess of \$10 will be refunded.

11 (5) The commissioner shall collect a licensing fee of \$500 for casualty insurance companies
12 issuing policies of legal professional liability insurance pursuant to 33-1-206."

13
14 NEW SECTION. Section 2. Appropriation. There is appropriated \$50,000 from the general fund to
15 the department of revenue for the biennium beginning July 1, 2025, to implement the provisions of Senate Bill
16 No. 90.

17
18 COORDINATION SECTION. Section 3. Coordination instruction. If Senate Bill No. 90 is not
19 passed and approved, then [this act] is void.

20
21 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

22 - END -