

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Insurance offered the following:

**Amendment**

On page 3, line 13 through page 4, line 28  
remove from the bill: all of said lines

and insert in lieu thereof:

(b) Except as provided in subsection (6) of this section or in applicable department rules, and in addition to other conduct described in this chapter with respect to particular types of agents, a license as an insurance agent, service representative, solicitor, customer representative, or limited customer representative is required in order to engage in the solicitation of insurance. For purposes of this requirement, as applicable to any of the license types described herein, the solicitation of insurance is the attempt to persuade any person to purchase an insurance product by:

1. Describing the benefits or terms of insurance coverage including premiums or rates of return;

2. Distributing an invitation to contract to prospective purchasers;

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1           3. Making general or specific recommendations as to  
2 insurance products;

3           4. Completing orders or applications for insurance  
4 products; or

5           5. Comparing insurance products, advising as to  
6 insurance matters or interpreting policies or coverages.

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8 However, an employee leasing company licensed pursuant to  
9 chapter 468, which has entered into or is seeking to enter  
10 into a contract with an employer which identifies products and  
11 services offered to employees, may deliver proposals for the  
12 purchase of employee leasing services to prospective clients  
13 and clients of the employee leasing company setting forth the  
14 terms and conditions of doing business; classify employees as  
15 permitted by section 468.529; collect information from  
16 prospective clients and other sources as necessary to perform  
17 due diligence on the prospective client and to prepare a  
18 proposal for services; provide and receive enrollment forms,  
19 plans, and other documents; and discuss or explain in general  
20 terms the conditions, limitations, options, exclusions of  
21 insurance benefit plans available to the client or employees  
22 of the employee leasing company were the client to contract  
23 with the employee leasing company. Any advertising materials  
24 or other documents describing specific insurance coverages  
25 must identify and be from a licensed insurer or its licensed  
26 agent or a licensed and appointed agent employed by the  
27 employee leasing company. The employee leasing company may  
28 not advise or inform the prospective business client or  
29 individual employees of specific coverage provisions,  
30 exclusions, or limitations of particular plans. If a  
31 prospective client requests more specific information about

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1 the insurance provided by the employee leasing company, the  
2 employee leasing company must refer the prospective business  
3 client to the insurer or its licensed agent or to a licensed  
4 and appointed agent employed by the employee leasing company.  
5 (8) No insurance agent, insurance agency or other  
6 person licensed under the Insurance Code may pay any fee or  
7 other consideration to an unlicensed person other than an  
8 insurance agency for the referral of prospective purchasers to  
9 an insurance agent which is in any way dependent upon whether  
10 the referral results in the purchase of an insurance product.

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