**South Carolina General Assembly**

121st Session, 2015-2016

**A47, R59, S666**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Hayes

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Introduced in the Senate on April 15, 2015

Introduced in the House on April 30, 2015

Passed by the General Assembly on May 27, 2015

Governor's Action: June 3, 2015, Signed

Summary: Premium service agreements

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/15/2015 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h:\SJ%20Archive\2015\04-15-15.docx))

4/15/2015 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 3](file:///h:\SJ%20Archive\2015\04-15-15.docx))

4/23/2015 Senate Committee report: Favorable **Banking and Insurance** ([Senate Journal‑page 11](file:///h:\SJ%20Archive\2015\04-23-15.docx))

4/28/2015 Senate Read second time ([Senate Journal‑page 31](file:///h:\SJ%20Archive\2015\04-28-15.docx))

4/28/2015 Senate Roll call Ayes‑40 Nays‑1 ([Senate Journal‑page 31](file:///h:\SJ%20Archive\2015\04-28-15.docx))

4/29/2015 Senate Read third time and sent to House ([Senate Journal‑page 42](file:///h:\SJ%20Archive\2015\04-29-15.docx))

4/30/2015 House Introduced and read first time ([House Journal‑page 33](file:///h:\HJ%20Archive\2015\04-30-15.docx))

4/30/2015 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 33](file:///h:\HJ%20Archive\2015\04-30-15.docx))

5/21/2015 House Recalled from Committee on **Labor, Commerce and Industry** ([House Journal‑page 24](file:///h:\HJ%20Archive\2015\05-21-15.docx))

5/26/2015 House Read second time ([House Journal‑page 40](file:///h:\HJ%20Archive\2015\05-26-15.docx))

5/26/2015 House Roll call Yeas‑76 Nays‑3 ([House Journal‑page 40](file:///h:\HJ%20Archive\2015\05-26-15.docx))

5/27/2015 House Read third time and enrolled ([House Journal‑page 7](file:///h:\HJ%20Archive\2015\05-27-15.docx))

5/28/2015 Ratified R 59

6/3/2015 Signed By Governor

6/8/2015 Effective date 06/03/15

6/9/2015 Act No. 47

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=666&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[4/15/2015](file:///p:\pprever\2015-16\666_20150415.docx)

[4/23/2015](file:///p:\pprever\2015-16\666_20150423.docx)

[5/21/2015](file:///p:\pprever\2015-16\666_20150521.docx)

(A47, R59, S666)

**AN ACT** **TO AMEND SECTION 38‑39‑70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS THAT MAY BE INCLUDED IN INSURANCE PREMIUM SERVICE AGREEMENTS, SO AS TO PROVIDE THESE AGREEMENTS ALSO MAY INCLUDE INTEREST ON MITIGATION LOANS AS APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEE AND TO PROVIDE INTEREST CHARGES RELATED TO MITIGATION PROJECTS OR LOANS MUST BE LIMITED TO THE STATUTORY LEGAL RATE OF INTEREST; AND TO AMEND SECTION 38‑39‑80, RELATING TO ACTIVITIES PROHIBITED OF INSURANCE PREMIUM SERVICE COMPANIES, SO AS TO PROVIDE INSURANCE PREMIUM SERVICE COMPANIES MAY NOT WRITE INSURANCE OR SELL OTHER SERVICES OR COMMODITIES IN CONNECTION WITH A PREMIUM SERVICE AGREEMENT EXCEPT AS APPROVED BY THE DIRECTOR OR HIS DESIGNEE FOR MITIGATION PURPOSES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Inclusion of mitigation loan interest on premium service agreements**

SECTION 1. Section 38‑39‑70(c) of the 1976 Code is amended to read:

“(c) A premium service contract may include policy premiums, policy fees, agent commissions and fees, premium taxes, inspection fees, charges for motor vehicle (driving record) or property charges and claims history reports, and other automobile related services. All amounts must be disclosed on the premium service agreement. It also may include interest on mitigation loans as approved by the director or his designee. Any interest charges related to mitigation projects or loans must be limited to the legal rate of interest as set forth in Section 34‑31‑20(B).”

**Prohibited activities, exceptions**

SECTION 2. Section 38‑39‑80(a) of the 1976 Code is amended to read:

“(a) A premium service company may not write any insurance or sell any other service or commodity in connection with a premium service contract, except as approved by the director or his designee for mitigation purposes.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

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