

## Session 113 - (1999-2000)

**S 0383 General Bill, By Peeler, Holland, Leatherman, Anderson, Wilson, Grooms, Russell, Giese, Mescher, Ravenel, Branton and Setzler**

**Summary:** Insurance Department, Commissioner of, election; Motor Vehicle Safety and Financial Responsibility

A BILL TO AMEND TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE, BY ADDING CHAPTER 95 SO AS TO ADOPT THE NORTH CAROLINA PROVISIONS OF LAW REGARDING MOTOR VEHICLE SAFETY, FINANCIAL RESPONSIBILITY, AND INSURANCE AS THE LAW OF THIS STATE AND CONFORM THE NORTH CAROLINA PROVISIONS TO SOUTH CAROLINA'S INSURANCE CODE; TO REPEAL CHAPTER 77 OF TITLE 38, RELATING TO AUTOMOBILE INSURANCE; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF INSURANCE SHALL BE THE COMMISSIONER OF INSURANCE ELECTED TO OFFICE UNDER THE LAWS OF THIS STATE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS UNDER THE INSURANCE LAWS OF THIS STATE, SO AS TO MAKE CERTAIN CHANGES TO THE DEFINITION OF "DIRECTOR" OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-3-10, AS AMENDED, RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO DELETE CERTAIN PROVISIONS RELATING TO THE DEPARTMENT'S DIRECTOR, PROVIDE THAT THE COMMISSIONER OF INSURANCE MUST BE ELECTED RATHER THAN APPOINTED, AND MAKE CHANGES IN THE PROVISIONS CONCERNING THE REMOVAL OF THE COMMISSIONER OF INSURANCE; TO AMEND SECTION 38-3-100, AS AMENDED, RELATING TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO, AMONG OTHER CHANGES, DELETE THE REQUIREMENT THAT, IF THE DIRECTOR BECOMES A CANDIDATE FOR PUBLIC OFFICE OR BECOMES A MEMBER OF A POLITICAL COMMITTEE DURING TENURE, HIS OFFICE MUST BE IMMEDIATELY VACATED AND CHANGE THE TITLE OF THE OFFICE TO "COMMISSIONER OF INSURANCE"; TO AMEND THE 1976 CODE BY ADDING SECTION 38-3-102 SO AS TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MUST BE ELECTED TO OFFICE BY THE QUALIFIED ELECTORS OF THE STATE IN THE GENERAL ELECTION AND PROVIDE FOR THE COMMISSIONER'S TERM OF OFFICE, QUALIFICATIONS, VACANCIES, AND RELATED MATTERS; AND TO PROVIDE THAT THE ELECTION OF THE COMMISSIONER OF INSURANCE BEGINS WITH THE AN ELECTION IN THE YEAR 2000 FOR AN INITIAL TWO-YEAR TERM OF OFFICE TO BE FOLLOWED BY THE 2002 STATEWIDE ELECTION PROCESS FOR A FULL FOUR-YEAR TERM, AND THAT THE DIRECTOR SERVING ON THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE TO SERVE UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIES FOR OFFICE.

**01/21/99 Senate Introduced and read first time SJ-4**

**01/21/99 Senate Referred to Committee on Banking and Insurance SJ-4**