

## Session 107 - (1987-1988)

### **S 0902 General Bill, By Saleeby, McConnell and T.H. Pope**

#### ***Similar (S 1090, H 3331)***

A Bill to amend Article 9, Chapter 19, Title 38, Code of Laws of South Carolina, 1976, relating to operations generally of a domestic mutual insurer, by adding Sections 38-19-815 and 38-19-825 so as to define "bulk reinsurance and assumption", "merger", and "conversion of a mutual insurer to a stock insurer", and provide for a procedure for bulk reinsurance and assumption, merger, and conversion; to amend Section 38-19-20, relating to contracts issued by domestic mutual insurers, so as to provide that the employer whose name is on the master contract is a member of the insurer when the contract is a group annuity contract or a contract of group insurance and the holder of an individual or group annuity contract or an individual or group contract of insurance instead of a holder of one or more insurance contracts issued by an insurer; to amend Section 38-19-40, relating to notice of the time and place of the annual meeting of members required to be given by a domestic mutual insurer, so as to require a procedure for changing the time instead of the date of the annual meeting; to amend Section 38-19-50, relating to the use of a proxy by a member of a domestic mutual insurer, so as to delete the authority of a member of the insurer to give his proxy to another member, the prohibition of an officer of the insurer holding or voting the proxy of any member, and the conditions under which a proxy is no longer valid, to provide when the appointment of the proxy is effective, and to add conditions under which a member's vote upon a proposal may be registered, provide conditions under which a proxy only may be used; to amend Section 38-19-60, relating to the conduct of business at an annual meeting of a domestic mutual insurer, so as to delete the provisions governing the utilization of a proxy; to amend Section 38-19-610, relating to the borrowing of money by a domestic mutual insurer, so as to delete the maximum percentage rate of eight percent a year at which the money may be borrowed; to amend Section 38-27-610, relating to the priority of distribution of claims from the insurer's estate, so as to delete the provisions in Class 7 which authorize payments to members of domestic mutual insurance companies limited in accordance with law and create a new Class 8 authorizing payments to members of domestic mutual insurance companies; and to repeal Sections 38-19-210 through 38-19-260 relating to operations generally of domestic mutual insurers, and Sections 38-19-810, 38-19-820, 38-19-830, 38-19-840, 38-19-850, 38-19-860, 38-19-870, 38-19-880, 38-19-890 relating to conversion of reinsurance, liquidation, and merger of a domestic mutual insurer.

**10/12/87 Senate Prefiled**

**10/12/87 Senate Referred to Committee on Banking and Insurance**

**01/12/88 Senate Introduced and read first time SJ-215**

**01/12/88 Senate Referred to Committee on Banking and Insurance SJ-21**