

## Session 121 - (2015-2016)

### **S\*0978 (Rat #0194, Act #0191 of 2016) General Bill, By Hayes**

**Summary:** Risk-based capital plans

AN ACT TO AMEND SECTION 38-9-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RISK-BASED CAPITAL PLANS, SO AS TO INCREASE THE MULTIPLIER FOR A COMPANY ACTION LEVEL EVENT FOR A LIFE AND HEALTH INSURER FROM 2.5 TO 3.0; TO AMEND SECTION 38-87-30, RELATING TO THE CHARTERING OF A RISK RETENTION GROUP, SO AS TO DEFINE TERMS, TO PROVIDE THAT A MAJORITY OF A RISK RETENTION GROUPS' DIRECTORS MUST BE INDEPENDENT DIRECTORS, TO ESTABLISH THE MAXIMUM TERM OF ANY MATERIAL SERVICE PROVIDER CONTRACT, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT A WRITTEN POLICY, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT AND DISCLOSE ITS GOVERNANCE STANDARDS, TO REQUIRE THE BOARD TO ADOPT AND DISCLOSE A CODE OF BUSINESS CONDUCT AND ETHICS, TO REQUIRE A RISK RETENTION GROUP TO COMPLY WITH APPLICABLE REGULATIONS, TO ESTABLISH PROCEDURES FOR NONCOMPLIANCE, AND TO SET ESTABLISHED DATES FOR COMPLIANCE; TO AMEND SECTION 38-87-40, RELATING TO OUT-OF-STATE RISK RETENTION GROUPS, SO AS TO ALLOW AN OUT-OF-STATE RISK RETENTION GROUP TO SUBMIT REVISIONS TO ITS PLAN OF OPERATION WITHIN THIRTY DAYS OF APPROVAL BY THE STATE INSURANCE COMMISSION OR WITHIN THIRTY DAYS IF NO APPROVAL IS REQUIRED; AND TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO EXTEND THE PROVISIONS OF SECTION 38-87-30 TO A RISK RETENTION GROUP LICENSED AS A CAPTIVE INSURANCE COMPANY. - ratified title

<b>01/13/16</b>	<b>Senate</b>	<b>Introduced and read first time (Senate Journal-page 51)</b>
<b>01/13/16</b>	<b>Senate</b>	<b>Referred to Committee on Banking and Insurance (Senate Journal-page 51)</b>
<b>01/27/16</b>	<b>Senate</b>	<b>Committee report: Favorable Banking and Insurance (Senate Journal-page 11)</b>
<b>01/28/16</b>		<b>Scrivener's error corrected</b>
<b>02/10/16</b>	<b>Senate</b>	<b>Read second time (Senate Journal-page 12)</b>
<b>02/10/16</b>	<b>Senate</b>	<b>Roll call Ayes-42 Nays-0 (Senate Journal-page 12)</b>
<b>02/11/16</b>	<b>Senate</b>	<b>Read third time and sent to House (Senate Journal-page 9)</b>
<b>02/23/16</b>	<b>House</b>	<b>Introduced and read first time (House Journal-page 20)</b>
<b>02/23/16</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry (House Journal-page 20)</b>
<b>05/05/16</b>	<b>House</b>	<b>Committee report: Favorable Labor, Commerce and Industry (House Journal-page 157)</b>
<b>05/17/16</b>	<b>House</b>	<b>Read second time (House Journal-page 39)</b>
<b>05/17/16</b>	<b>House</b>	<b>Roll call Yeas-108 Nays-0 (House Journal-page 40)</b>
<b>05/18/16</b>	<b>House</b>	<b>Read third time and enrolled (House Journal-page 65)</b>
<b>05/24/16</b>		<b>Ratified R 194</b>
<b>05/26/16</b>		<b>Signed By Governor</b>
<b>06/01/16</b>		<b>Effective date 01/01/17</b>
<b>06/03/16</b>		<b>Act No. 191</b>