

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 59

Introduced by Larson, 40; Carlson, 38.

Read first time January 10, 2013

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to insurance; to amend section 44-361.01, Reissue
2 Revised Statutes of Nebraska; to change provisions
3 relating to presumptions regarding the circumvention of
4 rebates by a licensed agent; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 44-361.01, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 44-361.01 A licensed agent, whose total commissions and
4 underwriting fees on business written upon the property, life,
5 health, or liability of himself or herself, his or her relatives by
6 consanguinity or affinity, and his or her employer or employees
7 exceed ~~ten-thirty~~ percent of the total commissions or underwriting
8 fees received during any one license year, shall be presumed to have
9 obtained a license or renewal thereof primarily to circumvent the
10 enforcement of section 44-361. A licensed agent, whose commissions
11 and underwriting fees on such business exceed ~~thirty-fifty~~ percent of
12 the total commissions and underwriting fees received during any one
13 license year, shall be conclusively presumed to have obtained a
14 license or renewal thereof primarily to circumvent the enforcement of
15 section 44-361.

16 Sec. 2. Original section 44-361.01, Reissue Revised
17 Statutes of Nebraska, is repealed.