

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 392

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WIELAND.

Read 1st time February 3, 2015, and ordered printed.

Read 2nd time February 24, 2015, and referred to the Committee on Small Business, Insurance and Industry.

Reported from the Committee March 11, 2015, with recommendation that the bill do pass and be placed on the Consent Calendar.

Removed from the Consent Calendar March 17, 2015.

Re-reported from the Committee April 16, 2015, with recommendation that the bill do pass.

Taken up for Perfection April 27, 2015. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

1536S.01P

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## AN ACT

To repeal section 378.633, RSMo, and to enact in lieu thereof one new section relating to fraternal benefit society agents.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 378.633, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 378.633, to read as follows:

378.633. 1. Agents of societies shall be licensed in accordance with the  
2 provisions of chapter 375 regulating the licensing, revocation, suspension or  
3 termination of license of resident and nonresident agents; provided, that no  
4 person who acted in the capacity as an agent of a licensed society for a period of  
5 at least six months immediately preceding October 13, 1969, shall be required to  
6 take an examination as provided for in chapter 375 as a condition for licensure  
7 as an insurance agent.

8 2. The following individuals shall not be deemed an agent of a fraternal  
9 benefit society within the provisions of subsection 1 of this section:

10 (1) Any regular salaried officer, employee or secretary of a licensed society  
11 or any subordinate lodge thereof, who devotes substantially all of his services to  
12 activities other than the solicitation of fraternal insurance contracts from the  
13 public, and who receives for the solicitation of such contracts no commission or  
14 other compensation directly dependent upon the amount of business obtained; or

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

15           (2) Any member representative of any society [which insures its members  
16 against death, dismemberment and disability resulting from accident only and  
17 which pays no commission or other consideration for the collection of premiums  
18 for such contracts] **who devotes, or intends to devote, less than fifty**  
19 **percent of his or her time to the solicitation and procurement of**  
20 **insurance contracts for such society. Any person who in the preceding**  
21 **calendar year has solicited and procured life insurance contracts on**  
22 **behalf of any society in an amount of insurance in excess of fifty**  
23 **thousand dollars, or, in the case of any other kind or kinds of insurance**  
24 **which the society might write, on the persons of more than twenty-five**  
25 **individuals and who has received or will receive a commission or other**  
26 **compensation therefor, shall be presumed to be devoting, or intending**  
27 **to devote, fifty percent or more of his or her time to the solicitation or**  
28 **procurement of insurance contracts for such society.**

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Bill

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