

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 333 be amended to read as follows:

- 1 Page 52, between lines 10 and 11, begin a new paragraph and insert:
- 2 "SECTION 76. IC 27-8-12-18 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. (a) As used in this
- 4 section, "compensation" ~~includes means~~ pecuniary and nonpecuniary
- 5 remuneration ~~of any kind~~ relating to the sale or renewal of the policy
- 6 or certificate. ~~including, but not limited to, the following:~~
- 7 (1) ~~Bonuses.~~
- 8 (2) ~~Gifts.~~
- 9 (3) ~~Prizes.~~
- 10 (4) ~~Awards.~~
- 11 (5) ~~Finders fees.~~
- 12 (b) An insurer or other entity that provides a commission or other
- 13 compensation to an insurance producer or other representative for the
- 14 sale of a long term care insurance policy may not violate the following
- 15 conditions:
- 16 (1) The amount of the first year commission or first year
- 17 compensation for selling or servicing the policy may not exceed
- 18 ~~two~~ **four** hundred percent (~~200%~~) (**400%**) of the amount of the
- 19 commission or other compensation paid in the second year.
- 20 (2) The amount of commission or other compensation provided in
- 21 years after the second year must be equal to the amount provided
- 22 in the second year.
- 23 (3) A commission or other compensation must be provided each
- 24 year for at least five (5) years after the first year.
- 25 (c) If an existing long term care policy or certificate is replaced, the

1 insurer or other entity that issues the replacement policy may not
2 provide, and its insurance producer may not accept, compensation in an
3 amount greater than the renewal compensation payable by the replacing
4 insurer on renewal policies, unless the benefits of the replacement
5 policy or certificate are clearly and substantially greater than the
6 benefits under the replaced policy or certificate.
7 (d) This section does not apply to the following:
8 (1) Life insurance policies and certificates.
9 (2) A policy or certificate that is sponsored by an employer for the
10 benefit of:
11 (A) the employer's employees; or
12 (B) the employer's employees and their dependents."
13 Renumber all SECTIONS consecutively.
(Reference is to ESB 333 as printed February 24, 2006.)

Representative Ripley