

## **BILL ANALYSIS**

H.B. 1305  
By: Sheets  
Insurance  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that inconsistencies in current law make a person who acts as an insurance agent without a license liable to be found guilty of a third degree felony offense, punishable by imprisonment for a term of two to 10 years and up to a \$10,000 fine, while an individual who is found to be acting as an agent after license suspension or revocation, and therefore also acting as such without a valid license, is subject to a lesser penalty of a fine not to exceed \$5,000, imprisonment for a term of not more than two years, or both that fine and confinement. H.B. 1305 seeks to resolve this inconsistency by harmonizing the punishments for individuals who have had their insurance licenses suspended or revoked with those of individuals acting as agents without licenses.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1305 amends the Insurance Code to increase the penalty for acting as an insurance agent after license suspension or revocation from a felony punishable by a fine not to exceed \$5,000, imprisonment for a term of not more than two years, or both the fine and imprisonment, to a felony of the third degree.

### **EFFECTIVE DATE**

September 1, 2013.