

**NEW YORK STATE
INSURANCE DEPARTMENT**

**SECOND AMENDMENT TO REGULATION NO. 87
(11 NYCRR 29)**

SPECIAL PROHIBITIONS

I, Gregory V. Serio, Superintendent of Insurance of the State of New York, pursuant to the authority granted by Sections 201, 301, 2324 and Article 21 of the Insurance Law, do hereby promulgate the following Second Amendment to Part 29 of Title 11 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Regulation 87), to take effect upon publication in the State Register, to read as follows:

(Matter in brackets is deleted; new matter is underlined)

The statutory authority references for Part 29 are repealed and a new statutory authority is added to read as follows:

Insurance Law Sections 201, 301, 2324, and Article 21

Section 29.2 is amended to read as follows:

§ 29.2 Applicability.

This Part shall apply to any licensee who receives from a governmental unit, insurer or other licensee a fee and/or commission, or part thereof, in connection with insurance services rendered to, and/or insurance coverages placed or renewed for, any governmental unit in this State [on and after December 6, 1978].

Subdivisions (a) and (b) of Section 29.3 are amended to read as follows:

(a) An “insurance service” shall mean any of the acts specified in [subdivision 2 of section 112-a and paragraph (b) of subdivision 3 of section 123] section 2101(g) and section 2102(b)(3) of the Insurance Law.

(b) “Licensee” shall mean any individual, firm, association or corporation to whom a license has been issued pursuant to [sections 112-a, 113, 115, 119, 122, 122-a and 123] article 21 of the Insurance Law, and any sublicensee thereof.

Subdivision (b) of Section 29.5 is amended to read as follows:

(b) Statements shall be filed with [the] Licensing Services [Bureau of the], Insurance Department, at the Albany office of the Insurance Department, on or before the 15th day of [April, 1980, with respect to fees and/or commissions, or shares thereof, received between December 6, 1978 and December 31, 1979, and on or before the 15th day of] April in each year [thereafter] with respect to fees and/or commissions, or shares thereof,

received as of the preceding December 31st. A general agent, as defined in this Part, shall not be required to file a Governmental Insurance Disclosure Statement with respect to insurance coverages placed in his capacity as a general agent, or on account of which commissions or shares thereof are paid to another agent or broker who ordered such coverages from said general agent.