

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0298

SENATE COMMERCE AND ENERGY ENGROSSED NO. **SB 62** - 01/17/2013

Introduced by: The Committee on Commerce and Energy at the request of the Department
of Labor and Regulation

1 FOR AN ACT ENTITLED, An Act to revise certain requirements regarding when an insurer's
2 certificate of authority may be revoked.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-6-46 be amended to read as follows:

5 58-6-46. The director may refuse to renew or ~~he~~ may suspend or revoke an insurer's
6 certificate of authority if ~~he~~ the director finds after a hearing thereon that the insurer has violated
7 or failed to comply with any lawful order of the director, any laws of this state relevant to the
8 business of insurance, or any provision of this title other than those for which suspension or
9 revocation is mandatory.

10 Section 2. That § 58-6-49 be amended to read as follows:

11 58-6-49. ~~All suspensions or revocations of, or refusals~~ Each suspension or revocation of, or
12 refusal to renew, an insurer's certificate of authority shall be by the director's order given to the
13 insurer as provided by § 58-4-17. If the director finds that the public health, safety, and welfare
14 of insureds is imperiled due to being covered under a policy of insurance by an insurer or carrier



1 whose certificate of authority has been revoked, and all appeals of the revocation have been
2 exhausted the director may also order that the insurer or carrier replace all policies with
3 equivalent policies issued by an authorized insurer in this state or otherwise provide for the
4 transfer of all such risk through an arrangement approved by the director.