

ASSEMBLY BILL

No. 2884

Introduced by Committee on Insurance (Assembly Members Daly (Chair), Bigelow, Calderon, Cooley, Dababneh, Frazier, Gatto, Gonzalez, and Rodriguez)

February 25, 2016

An act to amend Section 1726 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2884, as introduced, Committee on Insurance. Insurance: licensees: Internet: disclosures.

Existing law requires a person who is licensed in this state as an insurance agent or broker, advertises insurance on the Internet, and transacts insurance in this state, to identify certain information on the Internet, regardless of whether the insurance agent or broker maintains his or her Internet presence or if the presence is maintained on his or her behalf. The required information includes, but is not limited to, his or her name as it appears on his or her license, and any fictitious name approved by the Insurance Commissioner.

This bill would instead require that the person provide his or her name as filed with the commissioner that has not been disapproved pursuant to the provisions regarding the use of fictitious names.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1726 of the Insurance Code is amended
2 to read:

3 1726. (a) A person who is licensed in this state as an insurance
4 agent or broker, advertises insurance on the Internet, and transacts
5 insurance in this state, shall identify all of the following
6 information on the Internet, regardless of whether the insurance
7 agent or broker maintains his or her Internet presence or if the
8 presence is maintained on his or her behalf:

9 (1) His or her name as it appears on his or her insurance license,
10 ~~and any fictitious name approved by the commissioner.~~ *filed with*
11 *the commissioner that has not been disapproved pursuant to*
12 *Section 1724.5.*

13 (2) The state of his or her domicile and principal place of
14 business.

15 (3) His or her license number.

16 (b) A person shall be deemed to be transacting insurance in this
17 state when the person advertises on the Internet, regardless of
18 whether the insurance agent or broker maintains his or her Internet
19 presence or if it is maintained on his or her behalf, and does any
20 of the following:

21 (1) Provides an insurance premium quote to a California
22 resident.

23 (2) Accepts an application for coverage from a California
24 resident.

25 (3) Communicates with a California resident regarding one or
26 more terms of an agreement to provide insurance or an insurance
27 policy.