

### **304.9-085 Managing general agent -- License -- Duties.**

- (1) A "managing general agent" is an individual or business entity appointed by an insurer to solicit applications from agents for insurance contracts or to negotiate insurance contracts on behalf of an insurer and, if authorized to do so by an insurer, to effectuate and countersign insurance contracts.
- (2) No individual or business entity shall in this state be, act as, or hold himself, herself, or itself out as a managing general agent unless then licensed as a managing general agent. In order to qualify for a managing general agent license, an individual shall:
  - (a) Hold an agent license with property and casualty lines of authority and be appointed by each authorized insurer the licensee holds the contract to represent;
  - (b) If a nonresident, hold a nonresident agent license with property and casualty lines of authority and be appointed by each authorized insurer the licensee holds a contract to represent in Kentucky; and
  - (c) Hold a surplus lines broker license if any unauthorized insurers are represented or used.

In order for a business entity to qualify for a managing general agent license, all individuals acting on behalf of the business entity under its license shall be licensed agents with property and casualty lines of authority and shall be designated with the commissioner as to the license in accordance with all provisions of KRS 304.9-133 except for subsection (2)(a).

- (3) As used in this chapter, "agent" includes managing general agent unless the context requires otherwise.
- (4) A managing general agent is a representative of the insurers which the managing general agent holds a contract to represent. Each insurer is liable for the acts of the managing general agent in representing that insurer.
- (5) The commissioner shall renew managing general agent licenses in accordance with KRS 304.9-260.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1045, effective July 15, 2010. -- Amended 2002 Ky. Acts ch. 273, sec. 12, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 393, sec. 5, effective July 14, 2000. -- Created 1986 Ky. Acts ch. 307, sec. 2, effective July 15, 1986.