

LEGISLATIVE BILL 57

Approved by the Governor February 9, 1981

Introduced by Dworak, 22

AN ACT to amend sections 44-2630 and 44-2631, Revised Statutes Supplement, 1980, relating to insurance; to change provisions pertaining to insurance consultants; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 44-2630, Revised Statutes Supplement, 1980, be amended to read as follows:

44-2630. No contract or agreement with an insurance consultant shall be enforceable by such consultant unless it is in writing and executed in duplicate, by the person to be charged or by the authorized representative of such person. The agreement shall define the subject matter of the consulting services, outline the nature of the work to be performed by the consultant, and shall state the fee for the work. The consultant shall retain a copy of the agreement for not less than five years after completion of the services.

Sec. 2. That section 44-2631, Revised Statutes Supplement, 1980, be amended to read as follows:

44-2631. It shall be unlawful for any consultant, or any agency or sales organization with which he or she is connected, to receive any part of any commission or compensation paid by an insurer or agent of an insurer in connection with the sale or writing of any insurance which is within the subject matter of any consulting service performed prior to the sale of insurance and for which such consultant has contracted to receive a fee. For purposes of this section, a renewal of insurance shall not be considered a sale of insurance.

Sec. 3. That original sections 44-2630 and 44-2631, Revised Statutes Supplement, 1980, are repealed.