



**Senate Fiscal Agency**  
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**BILL ANALYSIS**

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House Bill 6444 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Jason Wentworth  
House Committee: Insurance  
Senate Committee: Insurance

**CONTENT**

The bill would amend the Insurance Code to prohibit an insurance producer from binding coverage for an insurer unless the producer was appointed by the insurer, and to allow an agent of the insured to obtain coverage for a consumer through an agent of the insurer if both of the following applied:

- The agent of the insured was licensed to act as an insurance producer in accordance with Chapter 12 (Agents, Solicitors, Adjusters, and Counselors) of the Code.
- The agent of the insured had a relationship with the agent of the insurer under a written contract that specified the extent of the agent of the insured's authority to act and required the maintenance of an amount of professional liability insurance, commonly known as errors and omissions insurance.

"Agent of the insured" would mean an insurance producer who is not an appointed insurance producer of the insurer with which the insurance policy is placed. An agent of the insured would be treated as representing the insured or the insured's beneficiary and not the insurer. "Agent of the insurer" would mean an insurance producer who sells, solicits, or negotiates an application for insurance as a representative of the insurer and not the insured or the insured's beneficiary. The term would not include a health benefit agent.

MCL 1201 et al.

Legislative Analyst: Drew Krogulecki

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 12-7-18

Fiscal Analyst: Elizabeth Raczkowski