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**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 482 Department or Agency Department of Insurance*

Rule No. Chapter 482-3-002

Rule Title: Preneed Fees and Fines

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A*

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? N/A*

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A*

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? N/A*

Is the increase in costs, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A*

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? N/A*

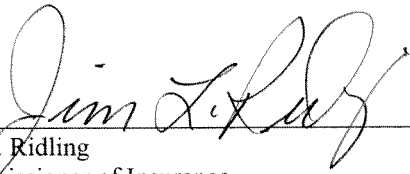
Does the proposed rule have an economic impact? N/A*

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Ala. Code § 41-22-23 (1975).

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Ala. Code § 27-2-17 (1975), and that it complies with all applicable filing requirements of the Alabama Insurance Code.*

Signature of certifying officer



Jim L. Ridling
Commissioner of Insurance

Date: August 21, 2012

*Note: The Alabama Department of Insurance is exempt from the Alabama Act pursuant to Ala. Code § 41-22-2(e) (1975).

Alabama Department of Insurance

NOTICE OF INTENDED ACTION

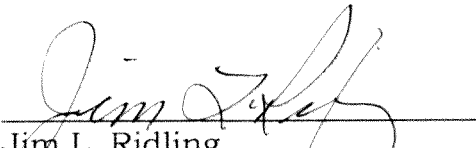
AGENCY NAME: Alabama Department of Insurance
RULE NO. & TITLE: Chapter 482-3-002: Preneed Fees and Fines.
INTENDED ACTION: Adopt new chapter.

SUBSTANCE OF PROPOSED ACTION: The Commissioner of Insurance is proposing to adopt a new regulation to formalize the practice within the Department of Insurance preceding the effective date of this regulation to set various fees and fine amounts authorized in the Alabama Preneed Funeral and Cemetery Act of 2002.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit data, views, or arguments in writing at any time prior to the date stated below to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, Thursday, October 18, 2012.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
October 18, 2012

CONTACT PERSON AT AGENCY: Reyn Norman
General Counsel



Jim L. Ridling
Commissioner of Insurance

ALABAMA DEPARTMENT OF INSURANCE
PRENEED REGULATION

CHAPTER 482-3-002

PRENEED FEES AND FINES

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1 482-3-002-.01 Purpose, Scope and Authority.

2 (1)The purpose of this chapter is to formalize the practice within
3 the Department of Insurance preceding the effective date of this chapter
4 and set various fees and fine amounts authorized in Ala. Code § 27-17A-11
5 (2002), a part of the Alabama Preneed Funeral and Cemetery Act, Ala. Code
6 §§ 27-17A-1, et seq. (2002).

7 (2) This chapter shall apply to all persons subject to the Alabama
8 Preneed Funeral and Cemetery Act.

9 (3) This chapter is adopted pursuant to Ala. Code §§ 27-2-17 (1975)
10 and 27-17A-11 (2002).

11 **Author:** Commissioner of Insurance
12 **Statutory Authority:** Ala. Code §§ 27-2-17 (1975) & 27-17A-11 (2002)
13 **History:** New _____, Effective _____

14 482-3-002-.02 Preneed Fees and Fines. The following fees and fines are
15 hereby established and confirmed:

- 16 (a) Initial certificate of authority fee, as permitted in
17 Ala. Code § 27-17A-11(d)(1) (2002) \$150
- 18 (b) Annual renewal of certificate of authority fee, as
19 permitted in Ala. Code § 27-17A-11(d)(1) (2002) \$75
- 20 (c) Branch registration fee, initial and annual renewal, as
21 permitted in Ala. Code § 27-17A-11(d)(2) (2002) \$150
- 22 (d) Fine for each day the certificate holder fails to file
23 its annual statement, as permitted in Ala. Code § 27-17A-11(h)
24 (2002) \$50
- 25 (e) Transfer of certificate of authority fee, as permitted
26 in Ala. Code § 27-17A-11(j) (2002) \$100

1 (f) Fine for each day the certificate holder fails to file
2 its statement of activities of the trust, as permitted in Ala.
3 Code § 27-17A-11(h) (2002) \$50

4 (g) Transfer of certificate of authority fee, as permitted
5 in Ala. Code § 27-17A-11(j) (2002) \$100

6 (h) Preneed sales agent application fee, initial and annual
7 renewal, as permitted in Ala. Code § 27-17A-18(g) & (j) (2002) \$25

8 **Author:** Commissioner of Insurance
9 **Statutory Authority:** Ala. Code §§ 27-2-17 (1975) & 27-17A-11 (2002)
10 **History:** New _____, Effective _____

11 **482-3-002-.03 Effective Date.** This chapter shall become effective upon
12 its approval by the Commissioner of Insurance and upon its having been on
13 file as a public document in the office of the Secretary of State for ten
14 days.

15 **Author:** Commissioner of Insurance
16 **Statutory Authority:** Ala. Code §§ 27-2-17 (1975) & 27-17A-11 (2002)
17 **History:** New _____, Effective _____