



INDEPENDENT INSURANCE AGENTS & BROKERS OF
SOUTH CAROLINA

McGuireWoods
CONSULTING

2025 GOVERNMENT AFFAIRS 101 PRESENTATION

Brian Flynn
McGuireWoods Consulting
Senior Vice President and Director

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- 2 Elections and Candidates
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POLITICS

the art or science concerned with guiding or influencing governmental policy.



LOBBYING

to attempt to influence or sway (someone, such as a public official) toward a desired action



SOUTH CAROLINA GENERAL ASSEMBLY

46 Senators serve 4-year terms

124 Representatives serve 2-year terms

Meet in two-year sessions

Legislation has two years to pass

HOUSE OF REPRESENTATIVES



Labor, Commerce and Industry Committee (LCI)

Rep. William G. "Bill" Herbkersman – Chairman
Beaufort



LCI Banking and Insurance Subcommittee

Rep. Craig A. Gagnon – Chairman
Abbeville, Anderson and Laurens

SENATE



Banking and Insurance Committee

Senator Ronnie Cromer – Chairman
Newberry



Insurance Subcommittee

Senator Sean Bennett – Chairman
Summerville

ELECTING LEGISLATORS

SC Republican and Democratic Primaries – June

Open Primaries in SC – Anyone can vote

Filing Dates: March 16 – March 30, 2026

Can only vote in one primary

General Election – November 3, 2026

2026 Election Year for SC House + Constitutional Officers

CONTRIBUTIONS TO CANDIDATES

(LIMITS AND RESTRICTIONS)



\$1,000 Maximum per Election Cycle
for Senators and Representatives



\$3,500 Maximum for Constitutional
Officers per Cycle



Individual or Corporate Contributions
Allowed

ELECTION CYCLES



Primary (if necessary)



Primary Runoff (if necessary)



General Election

POLITICAL ACTION COMMITTEE (PAC)

Committee means an association, a club, an organization, or a group of persons which, to influence the outcome of an elective office, receives contributions or makes expenditures in excess of five hundred dollars in the aggregate during an election cycle.

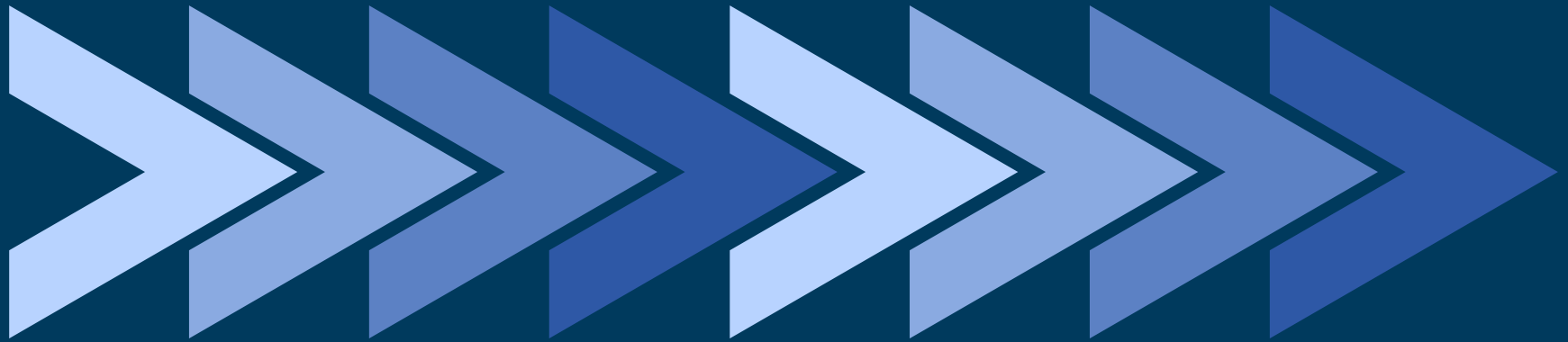


POLITICAL ACTION COMMITTEE (PAC)

- ▶▶▶ IASC Public Affairs Committee
- ▶▶▶ Supports state officeholders and candidates
- ▶▶▶ Accepts personal and corporate contributions
- ▶▶▶ Committee leadership selects campaigns to support
- ▶▶▶ InsurPac managed by the national Big “I”
- ▶▶▶ Supports federal officeholders
- ▶▶▶ Accepts personal contributions

MAKING LAWS

HOW DOES A BILL BECOME A LAW?



Bill Introduced
and Assigned
to Committee

Subcommittee
Hearing

- Only time public testimony is allowed

Full
Committee
Hearing

Full Debate

- Vote 2 times
- Final version sent to other body

House and
Senate must
agree on exact
same language

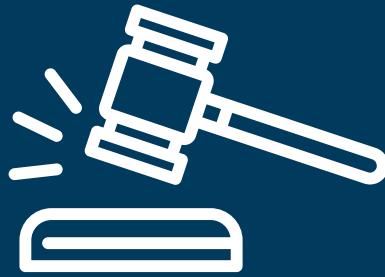
Governor
Signs into Law
or Vetoes



WHAT IS A LAW?



STATUTE



REGULATION



BULLETIN



CASE LAW



STATUTE



Federal or state written laws enacted by
Congress or the state legislature



STATUTE



Basis of all state governance

Introduced by Representatives or Senators

Reviewed by Committee

Hears public testimony

Must pass both House and Senate with Identical Language

Governor Approves or Vetoes

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Friday, July 25
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Law Enforcement, Criminal



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South Carolina Code of Laws Title 38 - Insurance

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Title 38 - Insurance

CHAPTER 43

Insurance Producers and Agencies

ARTICLE 1

General Provisions

SECTION 38-43-10.Persons considered producers of insurers; excess and surplus lines brokers; using assumed name.

(A) A person who:

- (1) sells, solicits, or negotiates insurance on behalf of an insurer;
- (2) takes or transmits other than for himself an application for insurance or a policy of insurance to or from an insurer;
- (3) advertises or otherwise gives notice that he will receive or transmit insurance applications or policies;
- (4) receives or delivers a policy of insurance of an insurer;
- (5) receives, collects, or transmits any premium of insurance; or
- (6) performs any other act in the making of an insurance contract for or with an insurer, other than for himself; whether these acts are done by an employee of an insurer or at the instance or request of an insurer, must be an appointed producer of the insurer for which the act is done or the risk is taken unless provided otherwise in Section 38-43-20.

(B) This chapter does not apply to excess and surplus lines brokers licensed pursuant to Section 38-45-30 except as provided in Section 38-43-70.



REGULATION

Rules and administrative codes issued by governmental agencies that have the force of law



REGULATION



Written by regulator (Department of Insurance)

Clarification or additional details of statute

Approved by Legislature

Carries the weight of statute

Opportunity for public input

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69-50. CONTINUING INSURANCE EDUCATION

I. Purpose

The purpose of this regulation is to establish rules and standards which shall apply to continuing insurance education for individuals qualified or licensed to act as insurance producers in this State.

II. Scope

A. The rules contained in this regulation shall apply to all individuals qualified or licensed to act as insurance producers in this State, except:

1. Limited line insurance producers;
2. Limited line credit insurance producers; and
3. Nonresident producers who have successfully satisfied continuing insurance education requirements of their resident state, regardless of the requirements of that other state.

B. Multi-line producers who do not wish to complete the required eight hours in each line of authority held must submit a request in writing to the Department to cancel the line(s) of authority in which they do not wish to complete the eight required hours. However, the producer must complete a total of twenty-four hours of continuing education with at least three hours in courses approved as ethics.

C. The Director of Insurance at his discretion may mandate certain continuing education courses to be taken by producers to meet continuing education compliance.

BULLETIN



Issued by the SC Department of Insurance to
clarify or explain



BULLETIN



DOI interpretation or clarification of statute or regulation

Provides guidance on how the DOI will enforce an issue

Not legal advice

Licensees must obey bulletins

DOI works with affected parties during drafting process

DOI.SC.GOV

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HENRY McMASTER
Governor

MICHAEL WISE
Director

BULLETIN NUMBER 2025-03

TO: All Insurers Transacting Private Passenger Automobile Insurance Business in South Carolina

FROM: Michael Wise *Michael Wise*
Director of Insurance

RE: FY25's Uninsured Motorist Distribution (Based on 2023's Market Share)

DATE: February 25, 2025

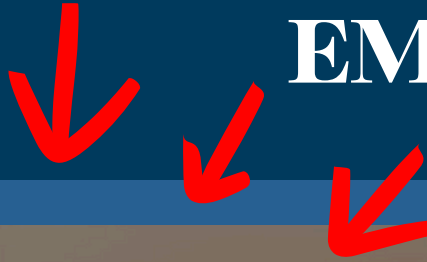
This Bulletin is issued to address the accounting guidance for disbursements from the Uninsured Motorist Fund. Title 56, Chapter 10 of the South Carolina Code of Laws, provides the South Carolina Department of Motor Vehicles shall impose fines or fees against individuals found to be driving while uninsured. Section 38-77-151 mandates that these fees be deposited into the Uninsured Motorist Fund ("Fund") to be held by the State Treasurer and permits the Director of the Department of Insurance to disburse the monies from the Fund, "as provided in Section 38-77-154 and 38-77-155."

Section 38-77-155 instructs the Director of the Department of Insurance to annually distribute monies from the Fund among the insurers writing motor vehicle bodily injury and property damage liability insurance on motor vehicles registered in this state. The amount distributed to each carrier is required to be in proportion to each insurer's premium income for auto liability coverage written in South Carolina for the preceding calendar year. See S.C. Code Ann. §38-77-155.

Your company may receive a check representing its portion of the uninsured motorist distribution based upon its 2023 market share. This amount was calculated pursuant to the requirements of §38-77-155. The purpose of the Fund is to reduce the cost of uninsured motorist insurance coverage. Therefore, the method used to account for these funds must be consistent with the purpose set forth in §38-77-154. S.C. Code Ann. §38-77-154. These funds must be accounted for as other income in accordance with the statutory guidance from the National Association of Insurance Commissioners.

Please contact Mia Mills, Accountant/Fiscal Analyst III, at (803) 737-6111 or via E-mail at mmills@doi.sc.gov if you have any questions or concerns about the amount of this year's distribution.

Bulletins are the method by which the Director of Insurance formally communicates with persons and entities regulated by the Department. Bulletins are departmental interpretations of South Carolina insurance laws and regulations and provide guidance on the Department's enforcement approach. Bulletins do not provide legal advice. Readers should consult applicable statutes and regulations or contact an attorney for legal advice or for additional information on the impact of that legislation on their specific situation.



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CASE LAW



Rules of law made through court decisions and opinions



CASE LAW



Statute challenged by plaintiff

Court interpretation of statute

Circuit Court, Appeals Court or Supreme Court

Must follow interpretation until statute is changed

Little ability to influence decision – Amicus Brief (Friend of the Court)



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Honor Roll Recipients

2025 Legislative Session



H. 3430 – Tort Reform + Liquor Liability

S. 210 – Captive Insurance Companies

S. 220 – Insurance Holding Company Regulatory Act

2025 Legislative Session

OUTSTANDING:

H. 3227 – Earthquake Insurance

S. 196 – Insurance Adjustors

WHAT CAN YOU DO?



KNOW YOUR SENATOR AND REPRESENTATIVE

Introduce yourself as a constituent and business person

Offer to help with insurance issues

Contribute, volunteer or support

Know if they are assigned to House LCI or Senate B&I

BECOME A RESOURCE ON INSURANCE ISSUES



Understand the insurance issues being addressed

Coordinate talking points with IIABSC

Communicate issues to legislators

Share personal experience



Attend Young Agent Day at the Statehouse

ENGAGE YOUR CUSTOMERS TO SHARE THEIR ISSUES

Communicate issues to legislators

Share personal experience

RUN FOR OFFICE



Get elected to the Legislature

Recruit candidates

Support candidates





VOTE



Vote in the primary

Vote in the general election

Vote in special elections



QUESTIONS?





THANK YOU!

Brian Flynn



bflynn@mwcllc.com



803-251-2304



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