



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS 78711**

**WAGGONER CARR  
ATTORNEY GENERAL**

**March 5, 1963**

**Honorable William A. Harrison  
Commissioner of Insurance  
Austin, Texas**

**Opinion No. C-22**

**Re: Reconsideration of Attorney  
General's Opinions WW-1337  
and WW-1337-A**

**Dear Mr. Harrison:**

On February 18, 1963, you advised this office that the State Board of Insurance authorized you to request that this office reconsider Attorney General's Opinions WW-1337 and WW-1337-A.

On the 23rd day of May, 1962, the prior Attorney General released his opinion WW-1337 which held:

"The Board of Insurance Commissioners is authorized to issue a local recording agent's license to a firm or partnership composed of active and inactive members, provided that neither the active or inactive partners are limited partners; Sections 5 and 6 of Article 21.14 of the Texas Insurance Code apply to the active partners but do not apply to the inactive partners."

Upon a reconsideration of Opinion WW-1337 (at the request of the Commissioner of Insurance), the then Attorney General on the 27th day of December, 1962, over-ruled his prior Opinion WW-1337 and released Opinion WW-1337-A which held:

"The provisions of Section 5 of Article 21.14 of the Texas Insurance Code prohibit the Insurance Department from issuing a local recording agent's license to a firm or partnership unless each individual or member of the partnership is to be actively engaged in good faith in the

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business of insurance and meets all of the other qualifications required for such license."

It is our opinion that Opinion WW-1337 correctly states the applicable law. Therefore, Opinion WW-1337-A is overruled and Opinion WW-1337 is reinstated. We are enclosing herewith copies of the two prior opinions.

Yours very truly,

WAGGONER CARR  
Attorney General of Texas

By *J. C. Davis*  
J. C. Davis  
Assistant

APPROVED:  
OPINION COMMITTEE

Albert Jones, Chairman  
Stanton Stone  
H. Grady Chandler  
Dudley McCalla  
Howard Fender

APPROVED: WAGGONER CARR, ATTORNEY GENERAL OF TEXAS