

ORIGINAL HOUSE
BILL NO. 0004

ENROLLED ACT NO. 12, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2011 GENERAL SESSION

AN ACT relating to insurance; providing for background checks for insurance providers, adjusters and insurance consultants; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 7-19-106(a) by creating a new paragraph (xxv), 7-19-201(a) by creating a new paragraph (xx), 26-9-206(a)(v), 26-9-219(b)(v), (vi) and by creating a new paragraph (vii) and 26-9-220(b) are amended to read:

7-19-106. Access to, and dissemination of, information.

(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xxv) The department of insurance, for purposes of licensing under Wyoming statutes title 26, chapter 9.

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(xx) Persons applying for an initial license under Wyoming statutes title 26, chapter 9.

26-9-206. Application for license.

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(a) A person applying for a resident insurance producer license shall make application to the commissioner on the uniform application and declare under penalty of refusal, suspension or revocation of the license that the statements made in the application are true, correct and complete to the best of the individual's knowledge and belief. Before approving the application, the commissioner shall find that the individual:

(v) Has provided the commissioner ~~a credit and investigation report on the applicant from a recognized and established independent investigation and reporting agency fingerprints and other information and permission necessary for a criminal history record background check as provided in W.S. 7-19-201(a)~~. The cost of the ~~report~~ criminal history record background check shall be paid by the applicant.

26-9-219. Adjuster's license; exception; notification.

(b) To be licensed as an adjuster the applicant shall:

(v) Have and maintain an office accessible to the public and keep therein the usual and customary records in paper, electronic or other appropriate format, pertaining to transactions under the license; ~~and~~

(vi) Within one (1) year prior to submitting the application for the license, have taken and passed a written examination in a form prescribed by the commissioner. The commissioner may waive written examination of a nonresident applicant if the applicant is licensed as an adjuster in his home state, is in good

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standing in his home state and his home state grants this state's resident adjusters a similar privilege;~~i-~~ and

(vii) If being licensed as a resident, have provided the commissioner fingerprints and other information and permission necessary for a criminal history record background check as provided in W.S. 7-19-201(a). The cost of the criminal history record background check shall be paid by the applicant.

26-9-220. Insurance consultants.

(b) An application for a license to act as an insurance consultant for hire shall be made to the commissioner on forms he prescribes. The commissioner shall require that the applicant, within one (1) year prior to submitting the application for the license, have taken and passed a written examination in a form prescribed by the commissioner. The commissioner may waive written examination of a nonresident applicant if the applicant is licensed as a consultant in his home state, is in good standing in his home state and his home state grants this state's resident consultants a similar privilege. The commissioner may conduct investigations concerning the applicant's qualifications, residence, business affiliations and any other matter he deems necessary to determine compliance with this chapter or for the public's protection. The applicant shall provide the commissioner fingerprints and other information and permission necessary for a criminal history record background check as provided in W.S. 7-19-201(a). The cost of the criminal history record background check shall be paid by the applicant.

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Section 2. This act is effective July 1, 2011.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk