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DRAFT VERSION

RULE 20

**AUTOMATIC AND EXPEDITED LICENSURE FOR MILITARY SERVICE
MEMBERS, VETERANS, AND SPOUSES**

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SECTION 1. AUTHORITY

This rule is issued pursuant to Ark. Code Ann. §§ 17-4-101 et seq., 23-61-108(a), and 25-15-201 et seq.

SECTION 2. DEFINITIONS

A. As used in this section:

1. "automatic occupational licensure" means the granting of a license without the individual's having met occupational licensure requirements provided under the Arkansas Insurance Code or by Department Rule.
2. "licensure" means the issuance of any of the following licenses:
 - a. Certified Application Counselor;
 - b. Claims Adjuster;
 - c. Emergency Temporary Producer;
 - d. In Person Assistant Guide;
 - e. Insurance Consultant;
 - f. Insurance Producer;
 - g. Life Settlement Broker;
 - h. Managing General Agent;
 - i. Navigator;
 - j. Purchasing Group Broker;
 - k. Reinsurance Intermediaries Broker;
 - l. Reinsurance Intermediaries Manager;

- m. Risk Retention Agent; and
 - n. Surplus Lines Broker.
3. "returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under the circumstances other than dishonorable.
 4. "uniformed service member" means:
 - a. An active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;
 - b. An active component member of the National Oceanic and Atmospheric Commissioned Officer Corps; or
 - c. An active or reserve component member of the United States Commissioned Corps of the Public Health Service.
 5. "uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

SECTION 3. REQUIREMENTS FOR AUTOMATIC LICENSURE

- A. The Arkansas Insurance Department shall grant automatic licensure to any of the following individuals:
 1. A uniformed service member stationed in the State of Arkansas;
 2. A uniformed service veteran who resides in or establishes residency in the State of Arkansas;
 3. The spouse of a uniformed service member stationed in the State of Arkansas;
 4. The spouse of a uniformed service veteran who resides in or establishes residency in the State of Arkansas;
 5. The spouse of a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and

6. The spouse of a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.
- B. The Department shall grant automatic licensure to any individual listed in Subsection 3.A, and who is a holder in good standing of a license with similar scope of practice issued in another state, territory, or district of the United States. No testing will be required.
- C. The Department shall extend the expiration date of any license issued for a deployed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
- D. The Department shall allow for a full exemption from continuing education requirements for any individual listed in Subsection 3.A, until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.
- E. In order to allow for full exemption of continuing education, the Department may require evidence of completion of continuing education before granting a subsequent licensure or authorizing the renewal of the license.

SECTION 4. REQUIREMENTS FOR EXPEDITED INITIAL LICENSURE

- A. This Section applies to individuals who have never been licensed in the insurance industry in this state or in any other U.S. State, district, or territory, and who qualify as one of the individuals listed in Subsection 3.A.
- B. All individuals listed in Subsection 3.A of this rule shall be eligible for expedited initial licensure.
- C. Such an individual shall first apply for provisional licensure. The application for provisional licensure shall be made on a form approved by the Commissioner.
- D. The application for provisional licensure shall be accompanied by the provisional licensure application fee. Once the Department has verified the required documentation, a provisional license will be issued to the individual. The provisional license will be valid for 180 days.
- E. An individual who has been issued a provisional license pursuant to this Rule is required to be supervised by an individual who is licensed with the same scope

of practice as the provisional license being applied for, which shall be one of the licenses listed in Subsection 2.A.2.

- F. If needed, an individual may request an extension of the provisional license beyond the 180 days, in order to attain full licensure.
- G. The Department shall accept relevant and applicable uniformed service education, training, national certifications, or service- issued credential toward licensure qualifications or requirements when considering an application for provisional licensure of an individual who is a uniformed service member or a uniformed service veteran who makes an application after his or her discharge from uniformed service.

SECTION 5. EFFECTIVE DATE

This Rule shall be effective upon approval by the Arkansas Legislative Council, and shall go into effect ten (10) days after filing the final rule with the Secretary of State.

ALAN MCCLAIN
INSURANCE COMMISSIONER

DATE

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: S2/9/23

A Bill

SENATE BILL 193

5 By: Senators Hill, *Irvin, J. Boyd*
6 By: Representative Eubanks
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS OCCUPATIONAL LICENSING
10 OF UNIFORMED SERVICE MEMBERS, VETERANS, AND SPOUSES
11 ACT OF 2021; TO ADD CONSIDERATION OF NATIONAL
12 CERTIFICATIONS TOWARD INITIAL OCCUPATIONAL LICENSURE
13 AND EXTEND THE APPLICATION TO SPOUSES; TO ELIMINATE
14 THE ONE-YEAR LIMIT FOR VETERANS TO APPLY SERVICE
15 EDUCATION, TRAINING, OR CERTIFICATIONS TOWARD INITIAL
16 OCCUPATIONAL LICENSURE; AND FOR OTHER PURPOSES.
17
18

Subtitle

19 TO AMEND THE ARKANSAS OCCUPATIONAL
20 LICENSING OF UNIFORMED SERVICE MEMBERS,
21 VETERANS, AND SPOUSES ACT OF 2021.
22
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
26

27 SECTION 1. DO NOT CODIFY. Legislative intent.

28 It is the intent of the General Assembly to:

29 (1) Add national certifications to be considered toward
30 occupational licensure requirements;

31 (2) Extend application for initial licensure to the spouse of a
32 uniformed service member or a uniformed service veteran; and

33 (3) Remove the one-year limit for veterans to apply service
34 education, training, or certifications toward occupational licensure.
35

36 SECTION 2. Arkansas Code § 17-4-107 is amended to read as follows:



1 17-4-107. Acceptance of uniformed service education, training,
2 national certification, or service-issued credential.

3 An occupational licensing entity shall accept relevant and applicable
4 uniformed service education, training, national certification, or service-
5 issued credential toward occupational licensure qualifications or
6 requirements when considering an application for initial licensure of an
7 individual listed in § 17-4-104 ~~who is:~~

8 ~~(1) A uniformed service member; or~~

9 ~~(2) A uniformed service veteran who makes an application within~~
10 ~~one (1) year of his or her discharge from uniformed service.~~

11
12 /s/Hill

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15 **APPROVED: 2/24/23**
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