

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/11/05

A Bill

HOUSE BILL 2852

5 By: Representative Cowling
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For An Act To Be Entitled

9 *AN ACT PERTAINING TO THE LICENSURE REQUIREMENTS*
10 *FOR INSURANCE AGENTS, BROKERS, ADJUSTERS AND*
11 *INSURANCE CONSULTANTS; AND FOR OTHER PURPOSES.*
12

Subtitle

13 *AN ACT PERTAINING TO THE LICENSURE*
14 *REQUIRMENTS FOR INSURANCE AGENTS,*
15 *BROKERS, ADJUSTERS AND INSURANCE*
16 *CONSULTANTS.*
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 23-64-202(b), exemptions to general
23 qualifications for licensure, is amended to read as follows:

24 23-64-202. General qualifications for licensure - Exemptions.

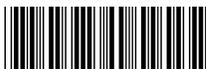
25 (b) All applicants for a license as an agent, broker, adjuster, or
26 insurance consultant shall:

27 (1) Pass a written examination for the license if required under
28 this chapter and attest that he or she is familiar with the insurance laws of
29 this state and will keep himself or herself familiar despite changes in the
30 law; and

31 (2)(A)(i) Before licensure or examination, if examination is
32 required, complete specific courses of instruction in the field of insurance
33 as the commissioner shall by regulation prescribe for the license.

34 (ii) Proof of completion must be presented before
35 testing is administered.

36 (iii)(a) The courses of instruction shall consist,



1 in the aggregate, of not fewer than ~~thirty-six (36)~~ twenty (20) hours of
2 classroom instruction or electronic instruction per line of insurance
3 authority. However, an applicant shall not be required to repeat the hours
4 of instruction on Arkansas laws and rules within two (2) years of taking
5 those hours for a previous line of authority.

6 (b) All instruction shall be administered by
7 or under the supervision of persons qualifying with and approved by the
8 commissioner for that purpose.

9 (c) An instructor deemed qualified and
10 approved by the commissioner shall monitor attendance and participation and
11 shall sign a certificate evidencing the licensee's completion of the hours.

12 (d) Applicants for adjuster and consultant
13 licenses are exempt from prelicensing education, as are nonresident
14 applicants for producer licenses from states that engage in reciprocal
15 licensing with Arkansas.

16 (iv) Successful completion of the courses of
17 instruction shall be certified to the commissioner, on forms prescribed by
18 him or her, by the person under whose supervision the instruction was
19 administered.

20 (v) The courses of instruction shall provide the
21 applicant with basic knowledge of the broad principles of insurance,
22 licensing and regulatory laws of this state, and the obligations and duties
23 of an agent, broker, or consultant.

24 (vi) Programs of instruction may be provided by any
25 authorized insurer, agents' association, or trade association recognized by
26 the commissioner or by any university, college, or any other institution in
27 this state having a comprehensive course of instruction approved and
28 certified by the commissioner.

29 (vii) The commissioner shall issue appropriate
30 regulations to implement the educational requirements and standards
31 prescribed in this subdivision (b)(2) and to prescribe the general curriculum
32 of courses of instruction.

33 (viii) The curriculum shall include not fewer than
34 five (5) hours of instruction relative to the licensing of agents and
35 insurance regulatory laws of this state, criteria for approval of the
36 providers of the courses of instruction, and certifications contemplated

1 hereunder.

2 (B) None of the provisions of this subsection shall apply
3 to and no examination or educational requirements contained in this
4 subsection shall be required of any applicant for a license presently
5 exempted by law from an examination.

6 (C) The provisions of subdivision (b)(2)(A) of this
7 section shall not apply to persons making application for license as an agent
8 or broker for crop hail insurance, mobile home physical damage insurance,
9 mortgagor's decreasing term life and disability insurance, prepaid legal
10 insurance, and fire and marine insurance written in connection with credit
11 transactions, or any line exempted by law, for which only a limited license
12 is issued, nor any other insurance for which only a limited license may be
13 issued and the commissioner, by order or regulation, exempts from the
14 educational requirements of subdivision (b)(2)(A) of this section.
15 surers, insurance agents, or insurance brokers.

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/s/ Cowling