

HOUSE BILL NO. HB0004

Department of insurance-background checks.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

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

5

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

7

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

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13 **7-19-106. Access to, and dissemination of,**
14 **information.**

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

4
5 (xxv) The department of insurance, for purposes
6 of licensing under Wyoming statutes title 26, chapter 9.

7
8 **7-19-201. State or national criminal history record**
9 **information.**

10
11 (a) The following persons shall be required to submit
12 to fingerprinting in order to obtain state and national
13 criminal history record information:

14
15 (xx) Persons applying for an initial license
16 under Wyoming statutes title 26, chapter 9.

17
18 **26-9-206. Application for license.**

19
20 (a) A person applying for a resident insurance
21 producer license shall make application to the commissioner
22 on the uniform application and declare under penalty of
23 refusal, suspension or revocation of the license that the
24 statements made in the application are true, correct and

1 complete to the best of the individual's knowledge and
2 belief. Before approving the application, the commissioner
3 shall find that the individual:

4
5 (v) Has provided the commissioner ~~a credit and~~
6 ~~investigation report on the applicant from a recognized and~~
7 ~~established independent investigation and reporting agency~~
8 fingerprints and other information and permission necessary
9 for a criminal history record background check as provided
10 in W.S. 7-19-201(a). The cost of the ~~report~~ criminal
11 history record background check shall be paid by the
12 applicant.

13

14 **26-9-219. Adjuster's license; exception;**
15 **notification.**

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

19

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

24

1 (vi) Within one (1) year prior to submitting the
2 application for the license, have taken and passed a
3 written examination in a form prescribed by the
4 commissioner. The commissioner may waive written
5 examination of a nonresident applicant if the applicant is
6 licensed as an adjuster in his home state, is in good
7 standing in his home state and his home state grants this
8 state's resident adjusters a similar privilege;~~;~~ and

9
10 (vii) If being licensed as a resident, have
11 provided the commissioner fingerprints and other
12 information and permission necessary for a criminal history
13 record background check as provided in W.S. 7-19-201(a).
14 The cost of the criminal history record background check
15 shall be paid by the applicant.

16
17 **26-9-220. Insurance consultants.**

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19 (b) An application for a license to act as an
20 insurance consultant for hire shall be made to the
21 commissioner on forms he prescribes. The commissioner shall
22 require that the applicant, within one (1) year prior to
23 submitting the application for the license, have taken and
24 passed a written examination in a form prescribed by the

1 commissioner. The commissioner may waive written
2 examination of a nonresident applicant if the applicant is
3 licensed as a consultant in his home state, is in good
4 standing in his home state and his home state grants this
5 state's resident consultants a similar privilege. The
6 commissioner may conduct investigations concerning the
7 applicant's qualifications, residence, business
8 affiliations and any other matter he deems necessary to
9 determine compliance with this chapter or for the public's
10 protection. The applicant shall provide the commissioner
11 fingerprints and other information and permission necessary
12 for a criminal history record background check as provided
13 in W.S. 7-19-201(a). The cost of the criminal history
14 record background check shall be paid by the applicant.

15

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

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(END)