

2022 Regular Session

HOUSE BILL NO. 545

BY REPRESENTATIVE WRIGHT

INSURERS: Provides for preclicensing requirements for insurance producers

1 AN ACT

2 To amend and reenact R.S. 22:821(B)(29), 1551(A) and (B), the heading of Subpart B of  
3 Part I of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, R.S.  
4 22:1581(B)(1), 1808.2(C)(6) and (E), and 1808.6(A) and (B) and to repeal R.S.  
5 22:513(B)(6), 1545(C), 1546(A)(4), 1571, 1574(A)(4), 1808.2(C)(1) through (5), and  
6 1808.3(A)(4), relative to preclicensing requirements for insurance producers and bail  
7 enforcement agents; to repeal the preclicensing requirement for certain persons; to  
8 provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 22:821(B)(29), 1551(A) and (B), the heading of Subpart B of Part  
11 I of Chapter 5 of Title 22 of the Louisiana Revised Statutes of 1950, R.S. 22:1581(B)(1),  
12 1808.2(C)(6) and (E), and 1808.6(A) and (B) are hereby amended and reenacted to read as  
13 follows:

14 §821. Fees

15 \* \* \*

16 B. The commissioner shall collect the following fees in advance:

17 \* \* \*

18 (29) For ~~preclicensing~~ or continuing education.

19 \* \* \*

1 §1551. Exemption from examination

2 A. An individual who applies for an insurance producer license in this state  
3 who was previously licensed for the same lines of authority in another state shall not  
4 be required to complete ~~any prelicensing education or~~ an examination. This  
5 exemption is available only if the person is currently licensed in that state or if the  
6 application is received within ninety days of the cancellation of the applicant's  
7 previous license and if the prior state issues a certification that, at the time of  
8 cancellation, the applicant was in good standing in that state or the state's Producer  
9 Database records, maintained by the National Association of Insurance  
10 Commissioners, its affiliates or subsidiaries, indicate that the producer is or was  
11 licensed in good standing for the line of authority requested.

12 B. A person licensed as an insurance producer in another state who moves  
13 to this state shall make application within ninety days of establishing legal residence  
14 to become a resident licensee pursuant to R.S. 22:1546. No ~~prelicensing education~~  
15 ~~or~~ examination shall be required of that person to obtain any line of authority  
16 previously held in the prior state except where the commissioner ~~of insurance~~  
17 determines otherwise by regulation.

18 \* \* \*

19 SUBPART B. ~~PRELICENSE AND CONTINUING EDUCATION~~ EDUCATIONAL  
20 PROGRAMS

21 \* \* \*

22 §1581. Regulation of bail enforcement agents

23 \* \* \*

24 B. The regulations adopted by the commissioner shall include provisions  
25 governing:

26 (1) ~~Prelicensing and continuing~~ Continuing education requirements for bail  
27 enforcement agents.

28 \* \* \*

1 §1808.2. Examination

2 \* \* \*

3 C.(6) A person who already holds an insurance producer license for a line  
4 of business shall be exempt from any ~~prelicensing education~~ and examination  
5 requirements for an insurance consultant license for the same line of business.

6 \* \* \*

7 E. The content of the examination may be outlined in the licensing  
8 information handbook provided to applicants by the Department of Insurance,  
9 publishers of examination study materials, ~~any prelicensing providers~~, and others  
10 wishing to provide this information.

11 \* \* \*

12 §1808.6. Exemption from examination

13 A. An individual who applies for an insurance consultant license in this state  
14 who was previously licensed as a resident insurance consultant for the same lines of  
15 authority in another state shall not be required to complete ~~any prelicensing~~  
16 ~~education or an~~ examination. This exemption is available only if the person is  
17 currently licensed in that state or if the application is received within ninety days of  
18 the cancellation of the applicant's previous license and if the prior state issues a  
19 certification that, at the time of cancellation, the applicant was in good standing in  
20 that state or by the National Association of Insurance Commissioners, its affiliates  
21 or subsidiaries, and the certification indicates that the consultant is or was licensed  
22 in good standing for the line of authority requested.

23 B. A person licensed as an insurance consultant in another state who moves  
24 to this state shall make application within ninety days of establishing legal residence  
25 in this state to become a resident licensee pursuant to R.S. 22:1808.3. No  
26 ~~prelicensing education or~~ examination shall be required of that person to obtain a  
27 consultant license for any line of authority previously held in the prior state except  
28 where the commissioner ~~of insurance~~ determines otherwise by regulation.

29 \* \* \*

1 Section 2. R.S. 22:513(B)(6), 1545(C), 1546(A)(4), 1571, 1574(A)(4), 1808.2(C)(1)  
2 through (5), and 1808.3(A)(4) are hereby repealed in their entirety.

3 Section 3. This Act shall become effective upon signature by the governor or, if not  
4 signed by the governor, upon expiration of the time for bills to become law without signature  
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
7 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 545 Reengrossed

2022 Regular Session

Wright

**Abstract:** Repeals preclicensing requirements for insurance producers.

Present law provides that the commissioner shall not collect fees in advance for preclicensing or continuing education.

Present law provides that an individual applying for an insurance producer license who was previously licensed for the same lines of authority in another state shall not be required to complete any preclicensing education or examination.

Present law provides that no preclicensing education or examination shall be required of a person to obtain any line of authority previously held in a prior state except where the commissioner of insurance determines otherwise by regulation.

Present law provides that the commissioner shall adopt regulations governing the preclicensing and continuing education requirements for bail enforcement agents.

Present law provides that a person who already holds an insurance producer license for a line of business shall be exempt from any preclicensing education and examination requirements for an insurance consultant license for the same line of business.

Present law provides that the content of the examination for insurance consultants may be outlined in the licensing information handbook provided by a preclicensing provider.

Present law provides that an individual who applies for an insurance consultant license who was previously licensed as a resident insurance consultant for the same lines of authority in another state shall not be required to complete any preclicensing education or examination.

Present law provides that no preclicensing education or examination shall be required of a person to obtain a consultant license for any line of authority previously held in a prior state except where the commissioner of insurance determines by regulation.

Present law provides that title insurance producers shall complete the required hours of preclicensing education under R.S. 22:1545 and 1571 related to Louisiana property law and title insurance, within the one-year period prior to application.

Present law provides that any person applying for a license as an insurance producer, prior to taking the examination, shall complete a registered prelicensing program certified by the commissioner.

Present law provides that before approving an application for a resident insurance producer license, the commissioner shall find that the individual has completed a prelicensing course of study for the lines of authority for which the person has applied.

Present law provides for the registered insurance producer and bail bond producer prelicensing program.

Present law apprentices shall complete the registered insurance producer and bail bond producer prelicensing program before the end of the apprenticeship program.

Present law provides that prior to taking the examination for an insurance consultant license, the individual shall take a prelicensing program.

Present law provides that before approving an application for a resident insurance consultant license, the commissioner shall find that the individual has completed a prelicensing course of study for the lines of authority for which the person has applied.

Proposed law repeals present law prelicensing provisions and requirements.

(Amends R.S. 22:821(B)(29), 1551(A) and (B), the heading of Subpart B of Part I of Chapter 5 of Title 22 of the La. Revised Statutes of 1950, R.S. 22:1581(B)(1), 1808.2(C)(6) and (E), and 1808.6(A) and (B); Repeals R.S. 22:513(B)(6), 1545(C), 1546(A)(4), 1571, 1574(A)(4), 1808.2(C)(1)-(5), and 1808.3(A)(4))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.