

ACT No. 273

2022 Regular Session

HOUSE BILL NO. 545

BY REPRESENTATIVE WRIGHT

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 22:1573(B), 1574(A)(4),1581(B)(1), 1808.2(C)(6) and (E), and 1808.6(A) and (B)
5 and to repeal R.S. 22:513(B)(6), 1545(C), 1546(A)(4), 1571, 1808.2(C)(1) through
6 (5), and 1808.3(A)(4), relative to prelicensing requirements for insurance producers
7 and bail enforcement agents; to repeal the prelicensing requirement for certain
8 persons; to 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. 22:1573(B),
12 1574(A)(4),1581(B)(1), 1808.2(C)(6) and (E), and 1808.6(A) and (B) are hereby amended
13 and reenacted to read as follows:

14 §821. Fees

15 * * *

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

17 * * *

18 (29) For ~~prelicensing~~ 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 §1573. Continuing education requirements

22 * * *

23 B. The commissioner shall promulgate rules and regulations setting forth
24 guidelines and requirements for the content and conduct of continuing education
25 programs and for the procedure for approval of a continuing education program. The
26 commissioner shall also promulgate rules and regulations specifying the
27 qualifications which each instructor in an approved continuing education program
28 shall possess. All such rules and regulations promulgated by the commissioner shall
29 be promulgated pursuant to the provisions of the Administrative Procedure Act. The

1 continuing education program shall be conducted by one of the ~~entities set forth in~~
2 ~~R.S. 22:1571(C)~~ following:

- 3 (1) An insurance trade organization.
- 4 (2) An insurance company admitted to do business in Louisiana.
- 5 (3) An accredited public or private college or university.
- 6 (4) An organization recommended by and certified by the commissioner.

7 * * *

8 §1574. Bail Bond Apprentice Program

9 A.(1)

10 * * *

11 (4) Apprentices shall complete ~~the registered insurance producer and bail~~
12 ~~bond producer preclicensing program as provided for in R.S. 22:1571~~ eight hours of
13 instruction in applicable underwriting principles, state laws, and regulations, and
14 ethical practices before the end of the apprenticeship program. The instruction shall
15 be conducted by one of the following:

- 16 (a) An insurance trade association.
- 17 (b) An insurance company admitted to do business in Louisiana.
- 18 (c) An accredited public or private college or university.

19 * * *

20 §1581. Regulation of bail enforcement agents

21 * * *

22 B. The regulations adopted by the commissioner shall include provisions
23 governing:

24 (1) ~~Prelicensing and continuing~~ Continuing education requirements for bail
25 enforcement agents.

26 * * *

27 §1808.2. Examination

28 * * *

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

4 * * *

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

9 * * *

10 §1808.6. Exemption from examination

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

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

27 * * *

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____