

Enrolled
House Bill 2198

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Consumer and Business Services)

CHAPTER

AN ACT

Relating to life insurance producer continuing education requirements; amending ORS 744.072.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 744.072 is amended to read:

744.072. (1) An insurance producer license remains in effect unless revoked or suspended as long as all applicable fees are paid by the due date and, if the licensee is a resident individual insurance producer, as long as the licensee has met applicable continuing education requirements for resident individual insurance producers under subsection (4) of this section by the due date. The renewal fee is due on the last day of the month in which the second anniversary of the initial issuance date of the license occurs and on the second anniversary following each renewal. The Director of the Department of Consumer and Business Services may establish another renewal period for the purpose of coordination with any national registration or licensing system.

(2) As a condition for or in connection with the renewal of an insurance producer license the director may require the insurance producer to file information with the director regarding use made of the license during the previous year or two years, and especially showing whether the license has been used principally for the writing of personal or controlled insurance, as defined in ORS 746.065.

(3) The director may require an insurance producer, as a condition for renewal of the insurance producer license, to fulfill any or all of the requirements then applicable to the original issuance of the license.

(4) The director by rule may establish requirements for continuing education that each resident individual insurance producer must satisfy as a condition for renewing the resident insurance producer license. The hours of education so required shall not exceed 45 hours annually during the first five years an individual is licensed, 24 hours annually during the next five years an individual is licensed, and 12 hours annually for individuals licensed for more than 10 years or for individuals who have received the designation C.P.C.U., C.L.U. or comparable designation recognized by the director. Continuing education shall not be required for:

(a) Any person to whom a license is issued without examination pursuant to ORS 744.067 (5);

[(b) Any retired person who is authorized to transact life insurance only, if the person is 58 years of age or more, has 10 years' experience as a licensed insurance producer, will be servicing existing policies only and requests an exemption from the requirement; or]

(b) Any person who before the effective date of this 2009 Act:

(A) Requests an exemption from the requirement;

(B) Is authorized to transact only life insurance;

- (C) Is 58 years of age or older;
- (D) Has 10 or more years of experience as a licensed insurance producer; and
- (E) Is servicing only existing policies; or

(c) Any person whose license is indorsed to authorize the person to act as a reinsurance intermediary broker or reinsurance intermediary manager, or both, as described in ORS 744.800, but the exemption applies solely for the purpose of maintaining the indorsement and does not affect any continuing education requirement that otherwise applies.

(5) In connection with establishing continuing education requirements under subsection (4) of this section, the director may make arrangements, including contracting with a private service, for establishing and operating a program and standards for approving and registering continuing education programs and their providers.

(6) An individual insurance producer who allows the insurance producer license to lapse may apply to the director to reinstate the same license within 12 months from the due date for renewal without having to take and pass a written examination, but the insurance producer must pay an amount for the reinstatement that is equal to double the unpaid renewal fee for any renewal fee paid after the due date and must complete any continuing education requirements not satisfied to date, including the period for which the license was lapsed. A license reinstated under this subsection is effective upon the date that the director grants the reinstatement.

(7) An individual insurance producer who is unable to comply with license renewal procedures due to military service or another extenuating circumstance such as a long term medical disability may request a waiver from compliance with those procedures. The insurance producer may also request a waiver of any examination requirement or any penalty imposed for failure to comply with renewal procedures.

Passed by House January 29, 2009

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 Chief Clerk of House

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 Speaker of House

Passed by Senate May 7, 2009

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 President of Senate

Received by Governor:

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Approved:

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 Governor

Filed in Office of Secretary of State:

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 Secretary of State