



2007 ASSEMBLY BILL 501

1 **AN ACT** *to repeal* 601.31 (1) (Lm), 601.31 (1) (u), 601.31 (1) (v) and 628.10 (4); *to*
2 *amend* 628.10 (2) (a), 628.10 (2) (am), 628.10 (2) (c), 628.10 (2) (cm), 628.10 (3)
3 and 628.11 (title); and *to create* 628.04 (1c), 628.10 (2) (e) and 628.10 (5) of the
4 statutes; **relating to:** insurance agent license requirements, revocations, and
5 reinstatement and relicensing requirements, and granting rule-making
6 authority.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 7 **SECTION 1.** 601.31 (1) (Lm) of the statutes is repealed.
- 8 **SECTION 2.** 601.31 (1) (u) of the statutes is repealed.
- 9 **SECTION 3.** 601.31 (1) (v) of the statutes is repealed.
- 10 **SECTION 4.** 628.04 (1c) of the statutes is created to read:

ASSEMBLY BILL 501**SECTION 4**

1 **628.04 (1c) FINGERPRINTS.** The commissioner may by rule require an applicant
2 under sub. (1) who is a resident and a natural person to provide fingerprints as an
3 additional condition for the granting of a license to act as an agent. The
4 commissioner may use the fingerprints, if required, to conduct a state criminal
5 history background investigation of the applicant and a national criminal history
6 background investigation of the applicant with the federal bureau of investigation.

7 **SECTION 5.** 628.10 (2) (a) of the statutes is amended to read:

8 **628.10 (2) (a)** *For failure to comply with continuing education requirements.*
9 The license of any intermediary who fails to produce evidence of compliance with
10 continuing education standards set by the commissioner is ~~suspended~~ revoked,
11 effective on the day date on which the evidence of compliance is due. ~~If an~~
12 ~~intermediary whose license has been suspended under this paragraph produces~~
13 ~~evidence of compliance within 60 days after the date on which the license is~~
14 ~~suspended, the commissioner shall reinstate the license effective on the date of~~
15 ~~suspension. If such an intermediary does not produce evidence of compliance within~~
16 ~~60 days, the license is revoked and the intermediary may be relicensed only after~~
17 ~~satisfying all requirements under s. 628.04. At least 60 days before that date, the~~
18 ~~commissioner shall send by 1st class mail to the intermediary's address that is on file~~
19 ~~with the commissioner notice of the date by which the evidence of compliance is due~~
20 ~~and that the intermediary's license will be revoked if the evidence is not received by~~
21 ~~that date. An intermediary whose license is revoked under this paragraph may have~~
22 ~~his or her license reinstated, or may be relicensed, as provided in sub. (5).~~

23 **SECTION 6.** 628.10 (2) (am) of the statutes is amended to read:

24 **628.10 (2) (am)** *Nonpayment of fees.* The license of an intermediary who fails
25 to pay a fee when due is ~~suspended on and after~~ revoked, effective on the date when

ASSEMBLY BILL 501

1 ~~on which the fee is due, if. At least 60 days before that date, the commissioner gave~~
2 ~~the intermediary reasonable shall send by 1st class mail to the intermediary's~~
3 ~~address that is on file with the commissioner notice that of the date by which the fee~~
4 ~~was is due and that the intermediary's license would will be suspended revoked if~~
5 ~~timely payment was is not made. If the intermediary pays the fee within 60 days~~
6 ~~after the date it is due, the license is reinstated effective on the date of suspension.~~
7 ~~If payment is not made within 60 days, the license is revoked and the intermediary~~
8 ~~may be relicensed only after satisfying all requirements under s. 628.04. An~~
9 ~~intermediary who is a natural person whose license is revoked under this paragraph~~
10 ~~may have his or her license reinstated, or may be relicensed, as provided in sub. (5).~~

11 **SECTION 7.** 628.10 (2) (c) of the statutes is amended to read:

12 628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*
13 The commissioner shall suspend or limit the license of an intermediary who is a
14 natural person, or a temporary license of a natural person under s. 628.09, if the
15 natural person is delinquent in court-ordered payments of child or family support,
16 maintenance, birth expenses, medical expenses or other expenses related to the
17 support of a child or former spouse, or if the natural person fails to comply, after
18 appropriate notice, with a subpoena or warrant issued by the department of
19 workforce development or a county child support agency under s. 59.53 (5) and
20 related to paternity or child support proceedings, as provided in a memorandum of
21 understanding entered into under s. 49.857. A natural person whose license or
22 temporary license is suspended under this paragraph who satisfies the requirements
23 under this paragraph for which the license was suspended may have his or her
24 license or temporary license reinstated by satisfactorily completing a reinstatement
25 application and paying the application fee for original licensure as specified by rule.

ASSEMBLY BILL 501

1 **SECTION 8.** 628.10 (2) (cm) of the statutes is amended to read:

2 628.10 **(2)** (cm) *For liability for delinquent taxes.* The commissioner shall
3 revoke the license of an intermediary, including a temporary license under s. 628.09,
4 if the department of revenue certifies under s. 73.0301 that the intermediary is liable
5 for delinquent taxes. An intermediary who is a natural person whose license is
6 revoked under this paragraph may have his or her license reinstated, or may be
7 relicensed, as provided in sub. (5).

8 **SECTION 9.** 628.10 (2) (e) of the statutes is created to read:

9 628.10 **(2)** (e) *For changing state of residence.* The license of an intermediary
10 who changes residence from one state to another is revoked 60 days after the change
11 of residence. The intermediary may be relicensed only after satisfying any
12 requirements under s. 628.04 that are specified by the commissioner by rule.

13 **SECTION 10.** 628.10 (3) of the statutes is amended to read:

14 628.10 **(3)** DELAY FOR NEW APPLICATION. An order revoking an intermediary's
15 license under sub. (2) (b) or (c) may specify a time not to exceed 5 years within which
16 the former intermediary may not apply for a new license. If no time is specified, the
17 intermediary may not apply for 5 years. ~~An intermediary whose license is revoked~~
18 ~~under sub. (2) (am) may immediately reapply.~~

19 **SECTION 11.** 628.10 (4) of the statutes is repealed.

20 **SECTION 12.** 628.10 (5) of the statutes is created to read:

21 628.10 **(5)** REINSTATEMENT OR RELICENSING AFTER CERTAIN REVOCATIONS. (a)
22 *Reinstatement within 12 months.* An intermediary who is a natural person and
23 whose license is revoked under sub. (2) (a), (am), or (cm) may have his or her license
24 reinstated within 12 months after the date on which the license was revoked without
25 having to satisfy any preclicensing education or examination requirements under s.

ASSEMBLY BILL 501

1 628.04. To have his or her license reinstated, the intermediary must satisfy the
2 requirement under sub. (2) (a), (am), or (cm) for which the license was revoked,
3 satisfactorily complete a reinstatement application, and pay the application fee for
4 original licensure as specified by rule. The reinstatement is effective on the date on
5 which the commissioner actually reinstates the license. If the intermediary is also
6 a resident who is required to complete continuing education, the intermediary must
7 have satisfied all previous continuing education requirements to have his or her
8 license reinstated under this paragraph.

9 (b) *Relicensing required after 12 months.* An intermediary specified in par. (a)
10 whose license has been revoked for more than 12 months is not eligible to have his
11 or her license reinstated under par. (a) but may apply for relicensing at any time after
12 12 months have elapsed from the date of revocation. To be relicensed, the
13 intermediary must satisfy any requirements under s. 628.04 that are specified by the
14 commissioner by rule.

15 (c) *Applicability.* This subsection applies to all of the following:

16 1. Intermediaries whose licenses were revoked under sub. (2) (a), (am), or (cm)
17 before the effective date of this subdivision [revisor inserts date], regardless of
18 whether an order under sub. (3) applies to the intermediary.

19 2. Intermediaries whose licenses are revoked under sub. (2) (a), (am), or (cm)
20 on or after the effective date of this subdivision [revisor inserts date].

21 **SECTION 13.** 628.11 (title) of the statutes is amended to read:

22 **628.11 (title) ~~Listing of insurance~~ Appointment of agents.**

23 **SECTION 14. Initial applicability.**

24 (1) ELIMINATION OF FEES.

