



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2104/1

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Stays → ↑
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2007 BILL

Change
P. 6
(in 4-9)

regenerate ↓

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

Analysis by the Legislative Reference Bureau

Under current law, a person may be licensed to act as an insurance intermediary if he or she: 1) pays the applicable fee; 2) shows to the satisfaction of the commissioner of insurance (commissioner) that he or she has the intent in good faith to do business as an intermediary and is competent and trustworthy; and 3) if a nonresident, agrees to be subject to the jurisdiction of the commissioner and the courts of the state on any matter related to the person's insurance activities in the state. In addition, the person must satisfy certain prelicensing education standards and pass an examination; after being licensed, the person must comply with certain continuing education requirements. This bill authorizes the commissioner to promulgate a rule that would require applicants for licensure as insurance intermediaries who are state residents and natural persons to provide fingerprints as a condition for licensure. The fingerprints, if required, may be used for conducting state and national criminal history background investigations of the applicants.

Under current law, the license of an insurance intermediary who fails to provide evidence of compliance with continuing education standards, or who fails to pay a fee

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when due, is suspended, and the suspended license is revoked if the intermediary does not provide evidence of compliance, or pay the fee, within 60 days after the license is suspended. Also under current law, the license of an insurance intermediary is revoked if the Department of Revenue certifies that the intermediary is liable for delinquent taxes. Any intermediary whose license is revoked must satisfy all requirements for initial licensure to be relicensed.

This bill provides that the license of an insurance intermediary who fails to provide evidence of compliance with continuing education requirements, or who fails to pay a fee when due, is automatically revoked rather than suspended for 60 days before revocation. Before the automatic revocation occurs, however, the commissioner must notify the intermediary, by first class mail, of the date on which the evidence must be provided or the fee must be paid and that the intermediary's license will be revoked if the evidence is not provided or the fee is not paid by that date. The bill provides that, if an intermediary's license is revoked for failure to provide evidence of compliance with continuing education requirements, for failure to pay a fee when due, or for being delinquent in the payment of taxes, the intermediary may have his or her license reinstated within 12 months after the revocation without having to satisfy any preclicensing education or examination requirements. If the intermediary's license is not reinstated within 12 months, however, the intermediary may be relicensed only by satisfying all of the requirements that apply to initial licensure. The bill also provides that the license of an insurance intermediary who changes residency from one state to another is revoked 60 days after the residency change. The intermediary may be relicensed only by satisfying all of the requirements that apply to initial licensure.

The bill eliminates fees for issuing a duplicate agent's license and for preparing and furnishing an agent's letter of certification or clearance.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 601.31 (1) (Lm) of the statutes is repealed.

2 **SECTION 2.** 601.31 (1) (u) of the statutes is repealed.

3 **SECTION 3.** 601.31 (1) (v) of the statutes is repealed.

4 **SECTION 4.** 628.04 (1c) of the statutes is created to read:

5 **628.04 (1c) FINGERPRINTS.** The commissioner may by rule require an applicant
6 under sub. (1) who is a resident and a natural person to provide fingerprints as an
7 additional condition for the granting of a license to act as an agent. The

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1 commissioner may use the fingerprints, if required, to conduct a state criminal
2 history background investigation of the applicant and a national criminal history
3 background investigation of the applicant with the federal bureau of investigation.

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

5 628.10 (2) (a) *For failure to comply with continuing education requirements.*

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

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

21 628.10 (2) (am) *Nonpayment of fees.* The license of an intermediary who fails
22 to pay a fee when due is ~~suspended on and after~~ revoked, effective on the date when
23 on which the fee is due, if. ~~Before that date, the commissioner gave the intermediary~~
24 ~~reasonable shall send by 1st class mail to the intermediary's address that is on file~~
25 with the commissioner notice that of the date by which the fee was is due and that

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1 the intermediary's license would ~~will~~ be suspended ~~revoked~~ if timely payment was
2 ~~is~~ not made. If the intermediary pays the fee within 60 days after the date it is due,
3 the license is reinstated ~~effective on the date of suspension~~. If payment is not made
4 within 60 days, ~~the license is revoked and the intermediary may be relicensed only~~
5 ~~after satisfying all requirements under s. 628.04.~~ An intermediary 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 7.** 628.10 (2) (cm) of the statutes is amended to read:

9 628.10 (2) (cm) *For liability for delinquent taxes.* The commissioner shall
10 revoke the license of an intermediary, including a temporary license under s. 628.09,
11 if the department of revenue certifies under s. 73.0301 that the intermediary is liable
12 for delinquent taxes. An intermediary whose license is revoked under this
13 paragraph may have his or her license reinstated, or may be relicensed, as provided
14 in sub. (5).

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

16 628.10 (2) (e) *For changing state of residence.* The license of an intermediary
17 who changes residence from one state to another is revoked 60 days after the change
18 of residence. The intermediary may be relicensed only after satisfying all of the
19 requirements of s. 628.04.

20 **SECTION 9.** 628.10 (3) of the statutes is amended to read:

21 628.10 (3) **DELAY FOR NEW APPLICATION.** An order revoking an intermediary's
22 license under sub. (2) (b) or (cr) may specify a time not to exceed 5 years within which
23 the former intermediary may not apply for a new license. If no time is specified, the
24 intermediary may not apply for 5 years. ~~An intermediary whose license is revoked~~
25 ~~under sub. (2) (am) may immediately reapply.~~

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1 **SECTION 10.** 628.10 (4) (title) of the statutes is repealed and recreated to read:
2 628.10 (4) (title) PAYMENT OF FEES PAYABLE.

3 **SECTION 11.** 628.10 (5) of the statutes is created to read:

4 628.10 (5) REINSTATEMENT OR RELICENSING AFTER CERTAIN REVOCATIONS. (a)
5 *Reinstatement within 12 months.* An intermediary who is a natural person and
6 whose license is revoked under sub. (2) (a), (am), or (cm) may have his or her license
7 reinstated within 12 months after the date on which the license was revoked without
8 having to satisfy any prelicensing education or examination requirements under s.
9 628.04. If the intermediary is also a resident who is required to complete continuing
10 education, the intermediary must have satisfied all previous continuing education
11 requirements to have his or her license reinstated under this paragraph.

12 (b) *Relicensing required after 12 months.* An intermediary specified in par. (a)
13 whose license has been revoked for more than 12 months is not eligible to have his
14 or her license reinstated under par. (a) but may apply for relicensing at any time after
15 12 months have elapsed from the date of revocation. To be relicensed, the
16 intermediary must satisfy all of the requirements of s. 628.04.

17 (c) *Penalty for certain revocations.* In addition to the payment of any fees under
18 sub. (4), to have his or her license reinstated under par. (a) an intermediary whose
19 license was revoked under sub. (2) (a) or (am) shall pay a penalty of twice the amount
20 of any unpaid fees that were payable before his or her license was revoked.

21 (d) *Applicability.* This subsection applies to all of the following:

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

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

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SECTION ~~1~~ 628.11 (title) of the statutes is amended to read:

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

History: 1975 c. 371, 421; 1979 c. 102 s. 237; 1981 c. 20 s. 2202 (26) (a); 1995 a. 27.

(END OF INSERT 6-2)



WISCONSIN LEGISLATIVE COUNCIL

*Terry C. Anderson, Director
Laura D. Rose, Deputy Director*

TO: REPRESENTATIVE FRANK LASEE
FROM: ^{gLV} Joyce L. Kiel, Senior Staff Attorney
RE: Technical Comments About LRB-2104/2, Relating to Insurance Agent License Requirements, Revocations, and Reinstatements
DATE: June 8, 2007

This memorandum provides technical comments about LRB-2104/2 (the bill draft), relating to insurance agent license requirements, revocations, and reinstatements. The bill draft was provided to you by the Office of the Commissioner of Insurance (OCI) but has not yet been introduced. OCI also provided you with a memorandum entitled "LRB-2104" (OCI Memo). My comments (referring to the section numbers as affected by the bill draft)¹ are as follows:

1. Section 628.10 (2) (a) provides that an intermediary's license will be revoked if he or she fails to provide evidence of compliance with the continuing education (CE) standards by the date the evidence of compliance is due. The revocation will be effective on that due date.

Page 3, line 15, of the bill draft provides that "[b]efore that date" OCI must mail written notice of the compliance due date. However, the bill draft does not specify how soon before that date OCI must send the notice, e.g., one day, 15 days, 30 days, or 45 days.

OCI will have authority to promulgate an administrative rule specifying when OCI will send that notice. Alternatively, the bill draft could be changed to specify this by stating, for example: "At least ___ days before that date," OCI must mail written notice of the compliance due date.

2. The same comment applies to s. 628.10 (2) (am), relating to revocation for nonpayment of fees. (Page 3, line 24, of the bill draft includes the reference to "[b]efore that date.")

¹ References to the current version of the statutes are preceded by the word "current" and followed by "Stats."

3. Section 628.10 (2) (e) provides that the license of an intermediary who changes residence from one state to another is revoked 60 days after the change of residence. It also specifies that the intermediary may be relicensed only after satisfying all of the requirements of s. 628.04.

Item 5. of the OCI Memo describes this provision of the bill draft as specifying that an agent who is no longer a resident of Wisconsin will have his or her license revoked 60 days after changing his or her state of residence.

However, s. 628.10 (2) (e) does not differentiate between agents who are residents and agents who are nonresidents before the person moves. Thus, this provision in the bill draft also will apply to a nonresident licensed intermediary who moves to Wisconsin (for example, an intermediary who resides in South Beloit, Illinois and moves to Beloit, Wisconsin) and to a nonresident licensed intermediary who moves from a state other than Wisconsin to another state other than Wisconsin (for example, an intermediary who resides in Illinois and moves to Iowa). It is not clear from the OCI Memo whether OCI intended this result.

4. Section 628.10 (5) (a) provides that an intermediary who is a natural person whose license is revoked under s. 628.10 (2) (a) [failure to submit evidence of CE credits], under (2) (am) [nonpayment of fees], or under (2) (cm) [delinquent taxes] may have his or her license reinstated within 12 months after the date the license was revoked without having to satisfy any preclicensing education or examination requirements under s. 628.04. Section 628.10 (5) (a) also states that if the intermediary is also a resident who is required to complete CE requirements, the intermediary must have satisfied all previous CE requirements before reinstatement. The following comments apply to this provision:

- a. Current s. 628.10 (2) (a) [failure to submit evidence of CE requirements] and (am) [nonpayment of fees], Stats., describe the reinstatement process following suspension under current law, and both specify when the reinstatement is effective, namely on the date of the suspension. However, these provisions describing the effective date of the reinstatement are being deleted in the bill draft [page 3, lines 12 to 13, and page 4, line 4]. Similarly, current s. 628.10 (2) (d), Stats. (which is unchanged by the bill draft), provides that reinstatement following suspension for failure to provide a social security or federal employer identification number may be reinstated effective as of the date of the suspension.

In contrast, the statutes, as amended by the bill draft, would not specify when a reinstatement under s. 628.10 (5) (a) following a revocation under s. 628.10 (2) (a), (am), or (cm) becomes effective, e.g., the date the license is actually reinstated by OCI or retroactive to the date of revocation.

To avoid any ambiguity on this point, it would be useful if the bill draft specified when the reinstatement is effective following revocation for failure to submit evidence of CE credits, nonpayment of fees, or delinquent taxes--for example by specifying in s. 628.10 (5) (a) that the license is reinstated effective on the date of the revocation (or whatever date is intended).

- b. Under current s. 628.04 (1), Stats., an intermediary could be a natural person or could be a person other than a natural person (e.g., corporation, partnership, or limited liability company).

Section 628.10 (2) (am) [revocation for nonpayment of fees] and (cm) [revocation for delinquent taxes] refer to intermediaries' using the reinstatement process in s. 628.10 (5)--without distinction made between intermediaries who are natural persons and those who are not natural persons. However, s. 628.10 (5) (a) refers only to reinstatement of an intermediary who is a natural person following revocation under s. 628.10 (2) (am) or (cm).

An intermediary that is not a natural person also could fail to timely pay fees or have delinquent taxes and, thus, be subject to revocation under s. 628.10 (2) (am) or (cm). Because s. 628.10 (5) (a) refers only to an intermediary who is a natural person, the bill draft does not make clear how reinstatement would occur with respect to such revocations for an intermediary that is not a natural person.

In addition, because s. 628.10 (5) (a) is cross-referenced in s. 628.10 (5) (b) (relicensing after 12 months) and in s. 628.10 (5) (c) (penalty of twice the amount of unpaid fees), it appears that s. 628.10 (5) (b) and (c) apply only to intermediaries who are natural persons. It is unclear if that is the intended result.

- c. With the exception of completion of CE requirements [s. 628.10 (5) (a)], payment of fees [s. 628.10 (4)], and payment of penalties [s. 628.10 (5) (c)], there is no statement about what must be done for reinstatement. Rather, s. 628.10 (5) (a) states what does not have to be done, namely that prelicensing education or examination requirements under s. 628.04 do not have to be satisfied. It is not clear if the intention is that all other requirements of s. 628.04 must be satisfied, except those requirements. If that is the intention, it should be more clearly stated.
5. In 2006, OCI's position in the promulgation of Clearinghouse Rule 05-111, relating to agent's licensing procedure changes, apparently was that: (a) although current law provides that an intermediary whose license has been revoked under current s. 628.10 (2) (a) [failure to comply with CE requirements] and (am) [nonpayment of fees], Stats., may be relicensed "only after satisfying all requirements current s. 628.04, Stats."; (b) current s. 628.04 (3), Stats.,² authorizes OCI to promulgate rules establishing classifications of intermediaries and prescribing different standards for them; and (c) thus, OCI has authority to promulgate a rule establishing a classification of intermediaries whose license had been revoked (namely those who had been revoked after a 60-day suspension for failure to pay renewal fees, submit CE evidence, or pay delinquent taxes but less than 12 months has passed since the due date for

² Current s. 628.04 (3), Stats., authorizes OCI to set, by rule, prelicensing and CE standards (although OCI cannot require more than a specified number of hours of study) and authorizes OCI to approve courses. Section 628.04 (3) also authorizes OCI, by rule, to exempt any class of intermediaries from the CE requirements. In addition, s. 628.04 (3) authorizes OCI, by rule, to prescribe classifications of intermediaries by kind of authority, or kind of insurance, or in other ways, and prescribe different standards of competence, including examinations and educational prerequisites for each class.

submission of renewal fees or CE evidence), who were not subject to any requirements for relicensing.³

In the bill draft, s. 628.10 (2) (e) provides that an intermediary who changes residence from one state to another may be relicensed "only after satisfying all of the requirements of s. 628.04." Section 628.10 (5) (b) provides that an intermediary who is a natural person and whose license was revoked for failure to submit evidence of CE credits, nonpayment of fees, or delinquent taxes who has been revoked for more than 12 months must "satisfy all of the requirements of s. 628.04" in order to be relicensed. (The bill draft deletes these provisions in current s. 628.10 (2) (a) and (am), Stats., as they are being included in s. 628.10 (5) (b).)

In describing these provisions in the bill draft, Items 2. and 3. of the OCI Memo indicate that the bill draft provides that if an agent's license has been revoked for more than 12 months due to failure to provide CE evidence or timely pay fees, then the agent must complete pre-licensing education. (The OCI Memo does not refer to completing pre-licensing examination requirements or other requirements of current s. 628.04, Stats.)

In light of OCI's past interpretation of its authority to promulgate rules effectively imposing no requirements of s. 628.04 in order for an intermediary to be relicensed whenever OCI creates a classification with respect to which OCI imposes no requirements, consideration could be given to changing the bill draft to be more explicit about exactly what is required for relicensure in these situations, rather than relying on the apparently shifting meaning of the phrase "The requirements of s. 628.04."

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

JLK:ty:jb

³ OCI's interpretation raised concerns about whether OCI had statutory authority to promulgate this part of CR 05-111 as it would effectively negate the statute requiring that relicensure could occur only after satisfying all requirements under s. 628.04. However, the rule was promulgated.



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Jim Doyle, Governor
Sean Dilweg, Commissioner

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June 27, 2007

Wisconsin.gov

Drafting Instructions for the OCI Agent Licensing Bill (LRB-2104/2)

The current version of the OCI agent licensing changes were reviewed by Legislative Council attorney Joyce Kiel. Attached is a copy of her memo raising certain issues.

After reviewing the Kiel memo, OCI wishes to change the proposed legislation as follows:

- 1. #1 Kiel memo - Section 5 [628.10(2)(a)] should be revised to require a 60 day notice.
2. #2 Kiel memo - Section 6 [628.10(2)(am)] should be revised to require a 60 day notice.
3. #3 Kiel memo - No change in the statute language. This interpretation is what OCI intended that any change of residence would be subject to the 60 period and then revoked. Perhaps the analysis could state that this is the intended interpretation.
4. #4a Kiel memo - Section 11 [628.10(5)(a)] should be revised to clarify that the reinstatement is not retroactive.
5. #4b Kiel memo - No change needed. Corporations are not required to take prelicensing education and do not have to test to be licensed.
6. #4c Kiel memo - See #7 for changes.
7. #5 Kiel memo - Section 8 [628.10(2)(e)] and 11 [628.10(5)(b)] should be revised to clarify that the agent must take prelicensing education, retest and complete all other requirements specified by rule.

If there are questions about this, please contact Robert Luck at 266-0082.

Handwritten notes: those requirements under 628.04 that are required by rule; how diff from 'acc req of 628.04?'; circled numbers 1, 2, 3 with arrows pointing to list items.

Kahler, Pam

From: Kiel, Joyce
Sent: Thursday, June 28, 2007 11:20 AM
To: Guidry, Jim R - OCI; Luck, Robert R - OCI
Cc: Rosenak, Mary Jan; Piliouras, Elizabeth; Letzing, Rachel; Kahler, Pam
Subject: RE: Agent license bill changes-LRB 2104/2

Bob and Jim--

Thanks for sending me a copy of the drafting instructions. Just a couple of comments (using the numbers from the OCI June 27 memo):

Item 3. It won't be necessary to change the LRB analysis as it accurately describes the bill draft provision about a change in residency--namely, to or from any state. (It was the description in the OCI document entitled "LRB-2104" that just referred to changes of residency from Wisconsin to another state that my earlier memo had commented on as being inconsistent with the bill draft.)

Item 5. (Referring to #4b in Kiel memo). The new drafting instructions indicate that no change is needed as corporations are not required to take prelicensing education and do not have to test to be licensed.

However, what #4b in my earlier memo was addressing is the situation in which an intermediary that is NOT a natural person has a license revoked under s. 628.10 (2) (am) for nonpayment of fees or under s. 628.10 (2) (cm) for delinquent taxes. Both of these situations could seemingly happen to an intermediary that is not a natural person. #4b was noting that, since s. 628.10 (5) (a) deals with these two types of revocation (as well as revocation for not meeting continuing education requirements) but refers only to reinstatement of a natural person, the draft does not make clear how a reinstatement would occur with respect to an intermediary who is not a natural person if there is a revocation for nonpayment of fees or delinquent taxes. The memo also noted that since the reinstatement provision in s. 628.10 (5) (a) is cross-referenced in s. 628.10 (5) (b) [relicensing required after 12 months] and (5) (c) [penalty of twice the unpaid fees], these provisions also only apply to intermediaries that are natural persons.

Is it OCI's intent that the license of an intermediary that is not a natural person could not be reinstated following revocation of nonpayment of fees or delinquent taxes?

If so, it might be useful to specify on p. 4, lines 6 to 7, and lines 13 to 15, (in s. 628.10 (2) (am) and (cm), respectively) that the reinstatement opportunity in s. 628.10 (5) applies only to natural persons.

If not, s. 628.10 (5) should be revised to deal with both natural and non-natural persons.

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
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From: Guidry, Jim R - OCI
Sent: Wednesday, June 27, 2007 3:12 PM

06/28/2007

To: Kahler, Pam
Cc: Piliouras, Elizabeth; Rosenak, Mary Jan; Kiel, Joyce
Subject: Agent license bill changes-LRB 2104/2

Pam,

Attached are some additional drafting instructions related to some points raised by Leg Council on LRB 2104/2 (also attached). Please make the recommended changes at your earliest convenience.

Thanks very much. Any questions, please let me know.

Jim Guidry
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Madison, WI 53707-7873

Work: (608) 264-6239
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Jim Doyle, Governor
Sean Dilweg, Commissioner

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July 10, 2007

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Drafting Instructions for the OCI Agent Licensing Bill (LRB-2104/2)

The current version of the OCI agent licensing changes were reviewed by Legislative Council attorney Joyce Kiel. Attached is a copy of her last email raising certain issues regarding corporation relicensing (Item 5 in my previous memo and 4b in the original Kiel memo).

After further discussion, for administrative efficiency OCI does not intend to collect additional fees from agents or corporations whose licenses are revoked and subject to the proposed s. 628.10(5) but have a set fee for the reinstatement. These persons will complete a reinstatement application and pay the same application fee for original licensure specified in the rules.

A persons whose license is suspended under s. 628.10(2)(c) and later fulfills all requirements to end the suspension will also need to complete a reinstatement application and pay the same application fee for original licensure specified in the rules but not pay any additional fees.

OCI wishes to change the proposed legislation as follows:

- 1. Repeal s. 628.10(4), Stats., in the proposed bill
2. Delete s.628.10(5)(c) from Section 11 of the proposed bill.
3. Clarify in Section 6 on p.4 lines 6-7 and Section 7 on p. 4 lines 13-15 that the reinstatement process does not apply to corporations.
4. Clarify that a natural person revoked under proposed s. 628.10(5) must complete a reinstatement application and pay the application fee for original licensure.
5. Clarify that a natural person suspended under s. 628.10(2)(c) and later fulfills all requirements to end the suspension must complete a reinstatement application and pay the application fee for original licensure.

If there are questions about this, please contact Robert Luck at 266-0082.

both rein + relic apply to nat. persons only?



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2104/2

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3
stays → to mis run

2007 BILL

(m 7-18)

reinstatement and relicensing requirements

regenerate ↓

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2 628.10 (2) (a), 628.10 (2) (am), 628.10 (2) (cm), 628.10 (3) and 628.11 (title); *to*
3 *repeal and recreate* 628.10 (4) (title); and *to create* 628.04 (1c), 628.10 (2) (e)
4 and 628.10 (5) of the statutes; **relating to:** insurance agent license
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6 authority.

Analysis by the Legislative Reference Bureau

Under current law, a person may be licensed to act as an insurance intermediary if he or she: 1) pays the applicable fee; 2) shows to the satisfaction of the commissioner of insurance (commissioner) that he or she has the intent in good faith to do business as an intermediary and is competent and trustworthy; and 3) if a nonresident, agrees to be subject to the jurisdiction of the commissioner and the courts of the state on any matter related to the person's insurance activities in the state. In addition, the person must satisfy certain prelicensing education standards and pass an examination; after being licensed, the person must comply with certain continuing education requirements. This bill authorizes the commissioner to promulgate a rule that would require applicants for licensure as insurance intermediaries who are state residents and natural persons to provide fingerprints as a condition for licensure. The fingerprints, if required, may be used for conducting state and national criminal history background investigations of the applicants.

BILL

Under current law, the license of an insurance intermediary who fails to provide evidence of compliance with continuing education standards, or who fails to pay a fee when due, is suspended, and the suspended license is revoked if the intermediary does not provide evidence of compliance, or pay the fee, within 60 days after the license is suspended. Also under current law, the license of an insurance intermediary is revoked if the Department of Revenue certifies that the intermediary is liable for delinquent taxes. Any intermediary whose license is revoked must satisfy all requirements for initial licensure to be relicensed.

This bill provides that the license of an insurance intermediary who fails to provide evidence of compliance with continuing education requirements, or who fails to pay a fee when due, is automatically revoked rather than suspended for 60 days before revocation. Before the automatic revocation occurs, however, the commissioner must notify the intermediary, by first class mail, of the date on which the evidence must be provided or the fee must be paid and that the intermediary's license will be revoked if the evidence is not provided or the fee is not paid by that date. The bill provides that, if an intermediary's license is revoked for failure to provide evidence of compliance with continuing education requirements, for failure to pay a fee when due, or for being delinquent in the payment of taxes, the intermediary may have his or her license reinstated within 12 months after the revocation without having to satisfy any prelicensing education or examination requirements. If the intermediary's license is not reinstated within 12 months, however, the intermediary may be relicensed only by satisfying all of the requirements that apply to initial licensure. The bill also provides that the license of an insurance intermediary who changes residency from one state to another is revoked 60 days after the residency change. The intermediary may be relicensed only by satisfying all of the requirements that apply to initial licensure.

The bill eliminates fees for issuing a duplicate agent's license and for preparing and furnishing an agent's letter of certification or clearance. *Insert C*
For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 **SECTION 1.** 601.31 (1) (Lm) of the statutes is repealed.
- 2 **SECTION 2.** 601.31 (1) (u) of the statutes is repealed.
- 3 **SECTION 3.** 601.31 (1) (v) of the statutes is repealed.
- 4 **SECTION 4.** 628.04 (1c) of the statutes is created to read:
- 5 **628.04 (1c) FINGERPRINTS.** The commissioner may by rule require an applicant
- 6 under sub. (1) who is a resident and a natural person to provide fingerprints as an

At least 60 days

If a natural person

Insert B.

that the commissioner specifies by rule

Insert A.

those

Insert C

BILL

1 additional condition for the granting of a license to act as an agent. The
2 commissioner may use the fingerprints, if required, to conduct a state criminal
3 history background investigation of the applicant and a national criminal history
4 background investigation of the applicant with the federal bureau of investigation.

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

6 628.10 (2) (a) *For failure to comply with continuing education requirements.*

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

At least 60 days

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

22 628.10 (2) (am) *Nonpayment of fees.* The license of an intermediary who fails
23 to pay a fee when due is ~~suspended on and after~~ revoked, effective on the date when
24 on which the fee is due, if. Before that date, the commissioner gave the intermediary
25 reasonable shall send by 1st class mail to the intermediary's address that is on file

BILL

1 with the commissioner notice that of the date by which the fee was is due and that
 2 the intermediary's license would will be suspended revoked if timely payment was
 3 is not made. If the intermediary pays the fee within 60 days after the date it is due,
 4 the license is reinstated effective on the date of suspension. If payment is not made
 5 within 60 days, the license is revoked and the intermediary may be relicensed only
 6 after satisfying all requirements under s. 628.04. An intermediary whose license is
 7 revoked under this paragraph may have his or her license reinstated, or may be
 8 relicensed, as provided in sub. (5).

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

10 628.10 (2) (cm) *For liability for delinquent taxes.* The commissioner shall
 11 revoke the license of an intermediary, including a temporary license under s. 628.09,
 12 if the department of revenue certifies under s. 73.0301 that the intermediary is liable
 13 for delinquent taxes. An intermediary whose license is revoked under this
 14 paragraph may have his or her license reinstated, or may be relicensed, as provided
 15 in sub. (5).

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

17 628.10 (2) (e) *For changing state of residence.* The license of an intermediary
 18 who changes residence from one state to another is revoked 60 days after the change
 19 of residence. The intermediary may be relicensed only after satisfying all of the

20 requirements of s. 628.04 *any* under *that are specified by the commissioner by rule*

21 **SECTION 9.** 628.10 (3) of the statutes is amended to read:

22 628.10 (3) **DELAY FOR NEW APPLICATION.** An order revoking an intermediary's
 23 license under sub. (2) (b) or (c) may specify a time not to exceed 5 years within which
 24 the former intermediary may not apply for a new license. If no time is specified, the

Insert 4-8

who is a natural person

BILL

change component

intermediary may not apply for 5 years. An intermediary whose license is revoked under sub. (2) (am) may immediately reapply.

SECTION 10. 628.10 (4) (title) of the statutes is repealed and recreated to read:

628.10 (4) (title) PAYMENT OF FEES PAYABLE.

SECTION 11. 628.10 (5) of the statutes is created to read:

628.10 (5) REINSTATEMENT OR RELICENSING AFTER CERTAIN REVOCATIONS. (a)

Reinstatement within 12 months. An intermediary who is a natural person and whose license is revoked under sub. (2) (a), (am), or (cm) may have his or her license reinstated within 12 months after the date on which the license was revoked without having to satisfy any prelicensing education or examination requirements under s.

628.04. ^{Insert 5-11} If the intermediary is also a resident who is required to complete continuing education, the intermediary must have satisfied all previous continuing education requirements to have his or her license reinstated under this paragraph.

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

(c) *Penalty for certain revocations.* In addition to the payment of any fees under sub. (4), to have his or her license reinstated under par. (a) an intermediary whose license was revoked under sub. (2) (a) or (am) shall pay a penalty of twice the amount of any unpaid fees that were payable before his or her license was revoked.

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

C

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2104/3ins
PJK:wj:pg

INSERT A

WF The intermediary, however, must satisfy the requirements for which the license was revoked, apply for reinstatement, and pay the application fee for original licensure.

(END OF INSERT A)

INSERT B

CH Under current law, the license of an intermediary who is a natural person is suspended if he or she is delinquent in court-ordered child support payments, or if he or she fails to comply with a subpoena or warrant related to paternity or child support proceedings. The bill provides that the intermediary's license will be reinstated if the intermediary satisfies the requirements for which the license was suspended, applies for reinstatement, and pays the application fee for original licensure.

(END OF INSERT B)

INSERT C

WF The bill also eliminates a penalty under which an intermediary whose license had been suspended or revoked was required, when a new license was issued, to pay all fees that would have been payable if the license had not been suspended or revoked. Generally, under the bill, an intermediary whose license is suspended or revoked must pay the application fee for original licensure to have the license reinstated.

(END OF INSERT C)

INSERT 4-8

- 1 SECTION ~~1~~ 628.10 (2) (c) of the statutes is amended to read:
- 2 628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*
- 3 The commissioner shall suspend or limit the license of an intermediary who is a
- 4 natural person, or a temporary license of a natural person under s. 628.09, if the
- 5 natural person is delinquent in court-ordered payments of child or family support,
- 6 maintenance, birth expenses, medical expenses or other expenses related to the
- 7 support of a child or former spouse, or if the natural person fails to comply, after



Ins 4-8 cont'd

1 appropriate notice, with a subpoena or warrant issued by the department of
 2 workforce development or a county child support agency under s. 59.53 (5) and
 3 related to paternity or child support proceedings, as provided in a memorandum of
 4 understanding entered into under s. 49.857. A natural person whose license or
 5 temporary license is suspended under this paragraph who satisfies the requirements
 6 under this paragraph for which the license was suspended may have his or her
 7 license or temporary license reinstated by satisfactorily completing a reinstatement
 8 application and paying the application fee for original licensure as specified by rule.

History: 1975 c. 371, 421; 1977 c. 363; 1979 c. 102; 1981 c. 38; 1991 a. 214; 1995 a. 27; 1997 a. 191, 237; 1999 a. 9, 30; 2005 a. 387.

(END OF INSERT 4-8)

INSERT 5-11

How

9 To have his or her license reinstated, the intermediary must satisfy the
 10 requirement under ^{sub. (2)} ~~par.~~ (a), (am), or (c) for which the license was suspended,
 11 satisfactorily complete a reinstatement application, and pay the application fee for
 12 original licensure as specified by rule. The reinstatement is effective on the date on
 13 which the commissioner actually reinstates the license.

(END OF INSERT 5-11)

Kahler, Pam

From: Kiel, Joyce
Sent: Wednesday, August 08, 2007 2:23 PM
To: Rosenak, Mary Jan
Cc: Piliouras, Elizabeth; Guidry, Jim R - OCI; Kahler, Pam; Luck, Robert R - OCI; Letzing, Rachel
Subject: RE: LRB 07-2104/3 Topic: Agent package

Mary Jan--

I reviewed this draft as you requested. It looks like it includes what OCI requested except for one line that has a couple of typos. On page 6, line 11, the reference to "(c)" should be changed to "(cm)" and the reference to "suspended" should be changed to "revoked". I talked to Pam Kahler about this, and she will do a /4 with these changes.

That should do it.

Let me know if you have any questions.

Joyce L. Kiel, Senior Staff Attorney
Wisconsin Legislative Council Staff
Suite 401, One East Main Street
Madison, WI 53703
608-266-3137
608-266-3830 (fax)
joyce.kiel@legis.wisconsin.gov

From: Rosenak, Mary Jan
Sent: Tuesday, August 07, 2007 10:32 AM
To: Kiel, Joyce
Subject: FW: LRB 07-2104/3 Topic: Agent package

This is the bill you had suggestions on....

Mary Jan Rosenak

Research Assistant
Office of State Representative Frank Lasee
Second Assembly District
105 West - State Capitol
608-266-9870

From: Guidry, Jim R - OCI
Sent: Wednesday, August 01, 2007 10:58 AM
To: Piliouras, Elizabeth; Rosenak, Mary Jan
Subject: LRB 07-2104/3 Topic: Agent package

08/08/2007



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2104/3

PJK:wjtnwn

4
stays n mis run

2007 BILL

SOON
(in 8-8)
2 changes on p.6
D-vote

Regen

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

Under current law, a person may be licensed to act as an insurance intermediary if he or she: 1) pays the applicable fee; 2) shows to the satisfaction of the commissioner of insurance (commissioner) that he or she has the intent in good faith to do business as an intermediary and is competent and trustworthy; and 3) if a nonresident, agrees to be subject to the jurisdiction of the commissioner and the courts of the state on any matter related to the person's insurance activities in the state. In addition, the person must satisfy certain prelicensing education standards and pass an examination; after being licensed, the person must comply with certain continuing education requirements. This bill authorizes the commissioner to promulgate a rule that would require applicants for licensure as insurance intermediaries who are state residents and natural persons to provide fingerprints as a condition for licensure. The fingerprints, if required, may be used for conducting state and national criminal history background investigations of the applicants.

BILL

Under current law, the license of an insurance intermediary who fails to provide evidence of compliance with continuing education standards, or who fails to pay a fee when due, is suspended, and the suspended license is revoked if the intermediary does not provide evidence of compliance, or pay the fee, within 60 days after the license is suspended. Also under current law, the license of an insurance intermediary is revoked if the Department of Revenue certifies that the intermediary is liable for delinquent taxes. Any intermediary whose license is revoked must satisfy all requirements for initial licensure to be relicensed.

This bill provides that the license of an insurance intermediary who fails to provide evidence of compliance with continuing education requirements, or who fails to pay a fee when due, is automatically revoked rather than suspended for 60 days before revocation. At least 60 days before the automatic revocation occurs, however, the commissioner must notify the intermediary, by first class mail, of the date on which the evidence must be provided or the fee must be paid and that the intermediary's license will be revoked if the evidence is not provided or the fee is not paid by that date. The bill provides that, if an intermediary's license is revoked for failure to provide evidence of compliance with continuing education requirements, for failure to pay a fee when due, or for being delinquent in the payment of taxes, the intermediary, if a natural person, may have his or her license reinstated within 12 months after the revocation without having to satisfy any prelicensing education or examination requirements. The intermediary, however, must satisfy the requirements for which the license was revoked, apply for reinstatement, and pay the application fee for original licensure. If the intermediary's license is not reinstated within 12 months, the intermediary may be relicensed only by satisfying those requirements that apply to initial licensure that the commissioner specifies by rule. The bill also provides that the license of an insurance intermediary who changes residency from one state to another is revoked 60 days after the residency change. The intermediary may be relicensed only by satisfying those requirements that apply to initial licensure that the commissioner specifies by rule.

Under current law, the license of an intermediary who is a natural person is suspended if he or she is delinquent in court-ordered child support payments, or if he or she fails to comply with a subpoena or warrant related to paternity or child support proceedings. The bill provides that the intermediary's license will be reinstated if the intermediary satisfies the requirements for which the license was suspended, applies for reinstatement, and pays the application fee for original licensure.

The bill eliminates fees for issuing a duplicate agent's license and for preparing and furnishing an agent's letter of certification or clearance. The bill also eliminates a penalty under which an intermediary whose license had been suspended or revoked was required, when a new license was issued, to pay all fees that would have been payable if the license had not been suspended or revoked. Generally, under the bill, an intermediary whose license is suspended or revoked must pay the application fee for original licensure to have the license reinstated.

BILL

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 601.31 (1) (Lm) of the statutes is repealed.

2 **SECTION 2.** 601.31 (1) (u) of the statutes is repealed.

3 **SECTION 3.** 601.31 (1) (v) of the statutes is repealed.

4 **SECTION 4.** 628.04 (1c) of the statutes is created to read:

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

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

12 **628.10 (2) (a)** *For failure to comply with continuing education requirements.*
13 The license of any intermediary who fails to produce evidence of compliance with
14 continuing education standards set by the commissioner is ~~suspended~~ revoked,
15 effective on the ~~day~~ date on which the evidence of compliance is due. ~~If an~~
16 ~~intermediary whose license has been suspended under this paragraph produces~~
17 ~~evidence of compliance within 60 days after the date on which the license is~~
18 ~~suspended, the commissioner shall reinstate the license effective on the date of~~
19 ~~suspension. If such an intermediary does not produce evidence of compliance within~~
20 ~~60 days, the license is revoked and the intermediary may be relicensed only after~~
21 ~~satisfying all requirements under s. 628.04. At least 60 days before that date, the~~

BILL

1 commissioner shall send by 1st class mail to the intermediary's address that is on file
2 with the commissioner notice of the date by which the evidence of compliance is due
3 and that the intermediary's license will be revoked if the evidence is not received by
4 that date. An intermediary whose license is revoked under this paragraph may have
5 his or her license reinstated, or may be relicensed, as provided in sub. (5).

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

7 628.10 (2) (am) *Nonpayment of fees.* The license of an intermediary who fails
8 to pay a fee when due is ~~suspended on and after~~ revoked, effective on the date when
9 on which the fee is due, if. At least 60 days before that date, the commissioner gave
10 the intermediary reasonable shall send by 1st class mail to the intermediary's
11 address that is on file with the commissioner notice that of the date by which the fee
12 was is due and that the intermediary's license would will be suspended revoked if
13 timely payment was is not made. If the intermediary pays the fee within 60 days
14 after the date it is due, the license is reinstated effective on the date of suspension.
15 If payment is not made within 60 days, the license is revoked and the intermediary
16 may be relicensed only after satisfying all requirements under s. 628.04. An
17 intermediary who is a natural person whose license is revoked under this paragraph
18 may have his or her license reinstated, or may be relicensed, as provided in sub. (5).

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

20 628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*
21 The commissioner shall suspend or limit the license of an intermediary who is a
22 natural person, or a temporary license of a natural person under s. 628.09, if the
23 natural person is delinquent in court-ordered payments of child or family support,
24 maintenance, birth expenses, medical expenses or other expenses related to the
25 support of a child or former spouse, or if the natural person fails to comply, after

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1 appropriate notice, with a subpoena or warrant issued by the department of
2 workforce development or a county child support agency under s. 59.53 (5) and
3 related to paternity or child support proceedings, as provided in a memorandum of
4 understanding entered into under s. 49.857. A natural person whose license or
5 temporary license is suspended under this paragraph who satisfies the requirements
6 under this paragraph for which the license was suspended may have his or her
7 license or temporary license reinstated by satisfactorily completing a reinstatement
8 application and paying the application fee for original licensure as specified by rule.

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

10 628.10 (2) (cm) *For liability for delinquent taxes.* The commissioner shall
11 revoke the license of an intermediary, including a temporary license under s. 628.09,
12 if the department of revenue certifies under s. 73.0301 that the intermediary is liable
13 for delinquent taxes. An intermediary who is a natural person whose license is
14 revoked under this paragraph may have his or her license reinstated, or may be
15 relicensed, as provided in sub. (5).

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

17 628.10 (2) (e) *For changing state of residence.* The license of an intermediary
18 who changes residence from one state to another is revoked 60 days after the change
19 of residence. The intermediary may be relicensed only after satisfying any
20 requirements under s. 628.04 that are specified by the commissioner by rule.

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

22 628.10 (3) **DELAY FOR NEW APPLICATION.** An order revoking an intermediary's
23 license under sub. (2) (b) or (c) may specify a time not to exceed 5 years within which
24 the former intermediary may not apply for a new license. If no time is specified, the

BILL

1 intermediary may not apply for 5 years. ~~An intermediary whose license is revoked~~
2 ~~under sub. (2) (am) may immediately reapply.~~

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

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

5 **628.10 (5) REINSTATEMENT OR RELICENSING AFTER CERTAIN REVOCATIONS.** (a)

6 *Reinstatement within 12 months.* An intermediary who is a natural person and
7 whose license is revoked under sub. (2) (a), (am), or (cm) may have his or her license
8 reinstated within 12 months after the date on which the license was revoked without
9 having to satisfy any preclicensing education or examination requirements under s.
10 628.04. To have his or her license reinstated, the intermediary must satisfy the
11 requirement under sub. (2) (a), (am), or ^{cm} (c) for which the license was ~~suspended~~,
12 satisfactorily complete a reinstatement application, and pay the application fee for
13 original licensure as specified by rule. The reinstatement is effective on the date on
14 which the commissioner actually reinstates the license. If the intermediary is also
15 a resident who is required to complete continuing education, the intermediary must
16 have satisfied all previous continuing education requirements to have his or her
17 license reinstated under this paragraph.

18 (b) *Relicensing required after 12 months.* An intermediary specified in par. (a)
19 whose license has been revoked for more than 12 months is not eligible to have his
20 or her license reinstated under par. (a) but may apply for relicensing at any time after
21 12 months have elapsed from the date of revocation. To be relicensed, the
22 intermediary must satisfy any requirements under s. 628.04 that are specified by the
23 commissioner by rule.

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

Revoked

BILL

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

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

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

7 **628.11 (title) Listing of insurance Appointment of agents.**

8 **SECTION 14. Initial applicability.**

9 (1) ELIMINATION OF FEES.

10 (a) The treatment of section 601.31 (1) (Lm) of the statutes first applies to
11 requests for duplicate licenses that are received on the effective date of this
12 paragraph.

13 (b) The treatment of section 601.31 (1) (u) of the statutes first applies to
14 requests for letters of certification that are received on the effective date of this
15 paragraph.

16 (c) The treatment of section 601.31 (1) (v) of the statutes first applies to requests
17 for letters of clearance that are received on the effective date of this paragraph.

18 (2) AGENT LICENSE REVOCATION FOR CHANGING RESIDENCE. The treatment of
19 section 628.10 (2) (e) of the statutes first applies to intermediaries who change
20 residence from one state to another state on the effective date of this subsection.

21 (3) DELAY IN APPLICATION AFTER REVOCATION. The treatment of section 628.10 (3)
22 of the statutes first applies to revocations that occur on the effective date of this
23 subsection.

24

(END)

D-note
(f) This redraft makes two technical corrections to so 628.10 (5)(a) PJK

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2104/4dn
PJK:wj:pg

August 13, 2007

This redraft makes two technical corrections to s. 628.10 (5) (a).

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.wisconsin.gov

Duerst, Christina

From: Rosenak, Mary Jan
Sent: Tuesday, August 14, 2007 12:49 PM
To: LRB.Legal
Subject: FW: Draft review: LRB 07-2104/4 Topic: Agent package
Attachments: LRB-2104_4; LRB-2104_4 Drafters_Note

Please Jacket 07.2104/4 for the Assembly.

Mary Jan Rosenak

Research Assistant
Office of State Representative Frank Lasee
Second Assembly District
105 West - State Capitol
608-266-9870

From: Guidry, Jim R - OCI
Sent: Monday, August 13, 2007 3:33 PM
To: Piliouras, Elizabeth; Rosenak, Mary Jan
Subject: FW: Draft review: LRB 07-2104/4 Topic: Agent package

Here is the corrected draft.

Jim Guidry
Legislative Liaison
Office of the Commissioner of Insurance
125 South Webster Street
PO Box 7873
Madison, WI 53707-7873

Work: (608) 264-6239
Cell: (608) 209-6309

From: Duerst, Christina [mailto:Christina.Duerst@legis.wisconsin.gov]
Sent: Monday, August 13, 2007 3:29 PM
To: Guidry, Jim R - OCI
Subject: Draft review: LRB 07-2104/4 Topic: Agent package

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Pamela J. Kahler, Senior Legislative Attorney, at (608) 266-2682, at pam.kahler@legis.wisconsin.gov, or at One East Main Street, Suite 200.

If you would like to jacket the draft for introduction, please click on the appropriate button below. Please select only one button. If you wish to introduce this draft in both houses please

8/14/2007

contact the drafting attorney to have a companion bill drafted.

**Jacket for the
ASSEMBLY**

**Jacket for the
SENATE**

Please allow one day for jacketing. If this is a "rush" please make a note in your response e-mail so we are aware that we need to give this request a high priority.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.