

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 351

Short Title: Continuing Ed. Exempt/Insur.

(Public)

Sponsors: Representative Gardner.

Referred to: Insurance.

March 6, 1995

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE CONTINUING EDUCATION REQUIREMENTS FOR
CERTAIN INSURANCE AGENTS AND BROKERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 58-33-130 reads as rewritten:

"§ 58-33-130. Continuing education program for licensees.

(a) The Commissioner may adopt rules to provide for a program of continuing education requirements for the purpose of enhancing the professional competence and professional responsibility of adjusters and motor vehicle damage appraisers. The rules may include criteria for:

- (1) The content of continuing education courses;
- (2) Accreditation of continuing education sponsors and programs;
- (3) Accreditation of videotape or other audiovisual programs;
- (4) Computation of credit;
- (5) Special cases and exemptions;
- (6) General compliance procedures; and
- (7) Sanctions for noncompliance.

(b) The Commissioner may adopt rules to provide for the continuing professional education of all agents and brokers, including fraternal field marketers, but excluding limited representatives. In adopting the rules, the Commissioner may use the same

1 criteria as specified in subsection (a) of this section and shall provide that agents holding
2 more than one license under G.S. 58-33-25(c) are required to complete no more than 18
3 credit hours ~~per year.~~ every two years.

4 (c) ~~On and after January 1, 1992,~~ Except as otherwise provided by this section, any
5 individual agent or broker desiring to renew an appointment or license shall offer
6 evidence satisfactory to the Commissioner that ~~he~~ the agent or broker has complied with
7 the continuing professional education requirements approved by the Commissioner.

8 (d) Annual continuing professional education hour requirements shall be
9 determined by the Commissioner, but shall not be more than 12 credit ~~hours.~~ hours,
10 provided however, that if an agent or broker has held one or more types of license for
11 more than 20 consecutive years, or if the agent or broker has held one or more types of
12 license for more than 10 consecutive years and is over the age of 55 years, then the agent
13 or broker is exempt from the continuing education requirements of this section for each
14 type of license held for the requisite period of time. Licensure in another state may be
15 counted for purposes of determining eligibility for exemption under this subsection
16 provided that the licensure requirements of the other state are substantially similar to
17 those of this State.

18 (e) No more than seventy-five percent (75%) of the requirement relating to life or
19 health insurance agents or brokers may be met by taking courses offered by licensed life
20 or health insurance companies with which those agents or brokers have appointments.

21 (f) Repealed by Session Laws 1993 (Reg. Sess., 1994), c. 678, s. 18.

22 (g) The Commissioner shall permit any licensee to carry over to a subsequent
23 calendar year up to seventy-five percent (75%) of the required annual hours of continuing
24 professional education.

25 (h) Any licensee who offers evidence satisfactory to the Commissioner on forms
26 prescribed by the Commissioner that ~~he~~ the licensee has satisfactorily completed the
27 required continuing professional education courses shall be deemed to have complied
28 with this section.

29 (i) The Commissioner is authorized to approve continuing professional education
30 courses.

31 (j) The Commissioner is authorized to establish fees to be paid to the
32 Commissioner by licensees who are required to comply with this section or by course
33 vendors for the purpose of offsetting the cost of additional staff and resources to
34 administer the program authorized by this section. To assure continued and proper
35 administration of the program, any unexpended revenue from the fees shall not revert to
36 the General Fund."

37 Sec. 2. This act becomes effective January 1, 1996, and applies to license
38 renewal due on or after that date.