

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Department of insurance - background checks.

Sponsored by: Joint Corporations, Elections and Political  
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to insurance; providing for background  
2 checks for insurance providers, adjusters and insurance  
3 consultants; making conforming amendments; and providing  
4 for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8       **Section 1.**     W.S. 7-19-106(a) by creating a new  
9 paragraph (xxv), 7-19-201(a) by creating a new paragraph  
10 (xx), 26-9-206(a)(v), 26-9-219(b)(v), (vi) and by creating  
11 a new paragraph (vii) and 26-9-220(b) are amended to read:

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1           **7-19-106. Access to, and dissemination of,**  
 2 **information.**

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4           (a) Criminal history record information shall be  
 5 disseminated by criminal justice agencies in this state,  
 6 whether directly or through any intermediary, only to:

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8                   (xxv) The department of insurance, for purposes  
 9 of licensing under Wyoming statutes title 26, chapter 9.

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11           **7-19-201. State or national criminal history record**  
 12 **information.**

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14           (a) The following persons shall be required to submit  
 15 to fingerprinting in order to obtain state and national  
 16 criminal history record information:

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18                   (xx) Persons applying for a new license under  
 19 Wyoming statutes title 26, chapter 9.

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21           **26-9-206. Application for license.**

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1 (a) A person applying for a resident insurance  
2 producer license shall make application to the commissioner  
3 on the uniform application and declare under penalty of  
4 refusal, suspension or revocation of the license that the  
5 statements made in the application are true, correct and  
6 complete to the best of the individual's knowledge and  
7 belief. Before approving the application, the commissioner  
8 shall find that the individual:

9  
10 (v) Has provided the commissioner ~~a credit and~~  
11 ~~investigation report on the applicant from a recognized and~~  
12 ~~established independent investigation and reporting agency~~  
13 fingerprints and other information necessary for a criminal  
14 history record background check as provided in W.S. 7-19-  
15 201(a). The cost of the ~~report~~ criminal history record  
16 background check shall be paid by the applicant.

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18 **26-9-219. Adjuster's license; exception;**  
19 **notification.**

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21 (b) To be licensed as an adjuster the applicant  
22 shall:

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1           (v) Have and maintain an office accessible to  
2 the public and keep therein the usual and customary records  
3 in paper, electronic or other appropriate format,  
4 pertaining to transactions under the license; ~~and~~

5  
6           (vi) Within one (1) year prior to submitting the  
7 application for the license, have taken and passed a  
8 written examination in a form prescribed by the  
9 commissioner. The commissioner may waive written  
10 examination of a nonresident applicant if the applicant is  
11 licensed as an adjuster in his home state, is in good  
12 standing in his home state and his home state grants this  
13 state's resident adjusters a similar privilege; ~~and~~

14  
15           (vii) If being licensed as a resident, have  
16 provided the commissioner fingerprints and other  
17 information necessary for a criminal history record  
18 background check as provided in W.S. 7-19-201(a). The cost  
19 of the criminal history record background check shall be  
20 paid by the applicant.

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22           **26-9-220. Insurance consultants.**

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1           (b) An application for a license to act as an  
2 insurance consultant for hire shall be made to the  
3 commissioner on forms he prescribes. The commissioner shall  
4 require that the applicant, within one (1) year prior to  
5 submitting the application for the license, have taken and  
6 passed a written examination in a form prescribed by the  
7 commissioner. The commissioner may waive written  
8 examination of a nonresident applicant if the applicant is  
9 licensed as a consultant in his home state, is in good  
10 standing in his home state and his home state grants this  
11 state's resident consultants a similar privilege. The  
12 commissioner may conduct investigations concerning the  
13 applicant's qualifications, residence, business  
14 affiliations and any other matter he deems necessary to  
15 determine compliance with this chapter or for the public's  
16 protection. The applicant shall provide the commissioner  
17 fingerprints and other information necessary for a criminal  
18 history record background check as provided in W.S. 7-19-  
19 201(a). The cost of the criminal history record background  
20 check shall be paid by the applicant

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22           **Section 2.** This act is effective July 1, 2011.

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(END)