

HOUSE BILL NO. HB0003

Department of insurance-fine schedules.

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

A BILL

for

1 AN ACT relating to insurance; applying penalty provisions
2 to persons who instruct others to violate the law as
3 specified; increasing civil penalties and aggregate limits
4 which can be assessed by the insurance commissioner;
5 allowing the insurance commissioner to collect the costs of
6 investigatory and administrative proceedings; and providing
7 for an effective date.

8

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

10

11 **Section 1.** W.S. 26-1-107(b) and 26-9-211 by creating
12 new subsection (d) are amended to read:

13

14 **26-1-107. General criminal and civil penalties.**

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1 (b) Any person who violates, or who instructs his
2 agent or adjuster to violate, any provision of this code,
3 any lawful rule or final order of the commissioner or any
4 final judgment or decree made by any court, upon the
5 commissioner's application, shall pay a civil penalty in an
6 amount the commissioner determines of not more than ~~two~~
7 ~~thousand five hundred dollars (\$2,500.00)~~ five thousand
8 dollars (\$5,000.00) for each offense, or ~~twenty-five~~
9 ~~thousand dollars (\$25,000.00)~~ fifty thousand dollars
10 (\$50,000.00) in the aggregate for all such offenses within
11 any ~~three (3)~~ one (1) month period. In the case of
12 individual agents or adjusters, the civil penalty shall be
13 not more than ~~five hundred dollars (\$500.00)~~ one thousand
14 dollars (\$1,000.00) for each offense or ~~five thousand~~
15 ~~dollars (\$5,000.00)~~ ten thousand dollars (\$10,000.00) in
16 the aggregate for all such offenses within any ~~three (3)~~
17 one (1) month period. The penalty shall be collected from
18 the violator and paid by the commissioner, or the
19 appropriate court, to the state treasurer and credited as
20 provided in W.S. 8-1-109.

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22 **26-9-211. License denial, nonrenewal or revocation.**

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(d) The commissioner may, after providing appropriate notice and opportunity for hearing as required in subsection (a) of this section, levy against any person against whom action has been taken by the commissioner the reasonable costs of investigation and administrative proceedings, not to exceed five hundred dollars (\$500.00).

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8 **Section 2.** This act is effective July 1, 2015.

9

10 (END)