

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 780\*

Short Title: Insurance Continuing Ed.

(Public)

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Sponsors: Representative Barbee.

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Referred to: Insurance.

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April 6, 1995

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT INSURANCE AGENTS AND BROKERS WHO HAVE  
2 BEEN LICENSED FOR THREE YEARS OR MORE MUST COMPLY WITH  
3 CONTINUING EDUCATION REQUIREMENTS EVERY TWO YEARS RATHER  
4 THAN ONCE A YEAR.  
5

6 The General Assembly of North Carolina enacts:

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

8 "**§ 58-33-130. Continuing education program for licensees.**

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

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

1 (b) The Commissioner may adopt rules to provide for the continuing professional  
2 education of all agents and brokers, including fraternal field marketers, but excluding  
3 limited representatives. In adopting the rules, the Commissioner may use the same  
4 criteria as specified in subsection (a) of this ~~section~~-section. Agents and brokers who have  
5 been licensed pursuant to this Article less than three years shall be required to comply  
6 with continuing professional education requirements every year, and agents and brokers  
7 who have been licensed as agents or brokers pursuant to this Article continuously for  
8 three years or more shall be required to comply with continuing professional education  
9 requirements every two years. and shall provide that agents-Agents holding more than one  
10 license under G.S. 58-33-25(c) are required to complete no more than 18 credit hours per  
11 year.-year if they have been licensed less than three years and no more than 18 credit  
12 hours every two years if they have held at least one license continuously for three years  
13 or more.

14 (c) On and after January 1, 1992, any individual agent or broker desiring to renew  
15 an appointment or license shall offer evidence satisfactory to the Commissioner that ~~he~~  
16 the agent or broker has complied with the continuing professional education requirements  
17 approved by the Commissioner.

18 (d) ~~Annual continuing~~-Continuing professional education hour requirements shall be  
19 determined by the Commissioner, but shall not be more than 12 credit ~~hours.~~-hours every  
20 two years for agents and brokers who have been licensed continuously for three years or  
21 more and not more than 12 credit hours per year for all other licensees.

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

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

26 (g) The Commissioner shall permit any licensee to accumulate and carry over to a  
27 subsequent calendar year forward up to seventy-five percent (75%) of the required annual  
28 hours of continuing professional education.

29 (h) Any licensee who offers evidence satisfactory to the Commissioner on forms  
30 prescribed by the Commissioner that he has satisfactorily completed the required  
31 continuing professional education courses shall be deemed to have complied with this  
32 section.

33 (i) The Commissioner is authorized to approve continuing professional education  
34 courses.

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

41 (k) Repealed by Session Laws 1993, c. 409, s. 4."

42 Sec. 2. This act is effective upon ratification and applies to continuing  
43 professional education requirements for years beginning with 1996.