

Introduced by

Industry and Business Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to create and enact section 26.1-26-13.5 of the North Dakota Century Code,
2 relating to the withdrawal of producer licensing applications; to amend and reenact sections
3 26.1-26-30, 26.1-26-33, subsection 1 of section 26.1-26-52, subdivision a of subsection 1 of
4 section 26.1-26.8-06, subdivision a of subsection 2 of section 26.1-26.8-09, and subsections 7
5 and 8 of section 26.1-33.4-02 of the North Dakota Century Code, relating to the contents of
6 producer licenses, producer notification of electronic mail address changes, automobile rental
7 company staff soliciting insurance, and the renewal of public adjuster and life settlement
8 licenses; and to repeal sections 26.1-26-37 and 26.1-26-46 of the North Dakota Century Code,
9 relating to physical copies of a producer's license.

10 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

11 **SECTION 1.** Section 26.1-26-13.5 of the North Dakota Century Code is created and
12 enacted as follows:

13 **26.1-26-13.5. Application deemed withdrawn.**

14 An application for a license under this chapter may be deemed withdrawn if the
15 commissioner contacts an applicant in writing regarding an incomplete application and the
16 commissioner does not receive a response from the applicant within twenty days of the date of
17 the written communication. A withdrawn application under this section is not a refusal to issue a
18 producer license and is not an administrative action. All fees accompanying the application for
19 license are not refundable.

20 **SECTION 2. AMENDMENT.** Section 26.1-26-30 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **26.1-26-30. Contents of license.**

23 The license shall ~~must~~ state the name, address, ~~social security number,~~ personal
24 identification number, ~~or internal revenue service identification number~~ of the licensee, date of

1 issue, and the line or lines of insurance covered by the license, and any other information the
2 commissioner determines to be proper for inclusion in the license.

3 **SECTION 3. AMENDMENT.** Section 26.1-26-33 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **26.1-26-33. Notification of address change - Duty of licensee.**

6 Every licensee shall notify the commissioner of any change in the licensee's residential or
7 business address, electronic mail address, or legal name within thirty days of the change.

8 Notification may occur through the insurance producer database maintained by the national
9 association of insurance producers, its affiliates, or subsidiaries. Any licensee who ceases to
10 maintain residency in this state shall ~~deliver the insurance license to~~ notify the commissioner by
11 personal delivery or, by mail, or by electronic mail within thirty days after terminating residency.

12 **SECTION 4. AMENDMENT.** Subsection 1 of section 26.1-26-52 of the North Dakota
13 Century Code is amended and reenacted as follows:

14 1. The automobile rental company is appropriately licensed in this state under
15 subsection 24 of section 26.1-26-13.3 or is affiliated with an appropriately licensed
16 North Dakota insurance producer.

17 **SECTION 5. AMENDMENT.** Subdivision a of subsection 1 of section 26.1-26.8-06 of the
18 North Dakota Century Code is amended and reenacted as follows:

19 a. Has paid the business entity licensing fee, not to exceed ~~one hundred fifty~~
20 dollars, prescribed by the commissioner; and

21 **SECTION 6. AMENDMENT.** Subdivision a of subsection 2 of section 26.1-26.8-09 of the
22 North Dakota Century Code is amended and reenacted as follows:

23 a. A business entity public adjuster license expires on the last day of the month
24 following the two-year anniversary of issuance of a license by the commissioner.

25 **SECTION 7. AMENDMENT.** Subsection 7 of section 26.1-33.4-02 of the North Dakota
26 Century Code is amended and reenacted as follows:

27 7. Licenses may be renewed annually on ~~the anniversary date~~ or before April thirtieth
28 upon payment of the periodic renewal fee. As specified in subsection 2, the renewal
29 fee for a provider may not exceed a reasonable fee. Failure to pay the fee within the
30 terms prescribed results in the automatic revocation of the license requiring periodic
31 renewal. A license issued after January first is not required to renew until April thirtieth

1 of the following calendar year. A license issued between May 1, 2023, and July 31,
2 2023, is not required to be renewed until April 30, 2025.

3 **SECTION 8. AMENDMENT.** Subsection 8 of section 26.1-33.4-02 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 8. The term of provider license must be equal to that of a domestic stock life insurance
6 company and the term of a broker license must be equal to that of an insurance
7 producer license. Licenses requiring periodic renewal may be renewed on ~~their~~
8 anniversary date or before April thirtieth upon payment of the periodic renewal fee as
9 specified in subsection 2. Failure to pay the fees before the expiration of the renewal
10 date results in expiration of the license. A license issued after January first is not
11 required to be renewed until April thirtieth of the following calendar year. A license
12 issued between May 1, 2023, and July 31, 2023, is not required to be renewed until
13 April 30, 2025.

14 **SECTION 9. REPEAL.** Sections 26.1-26-37 and 26.1-26-46 of the North Dakota Century
15 Code are repealed.