

B No

53 Ind TP

Introduced by:

Robert C. Holstedt
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A B I L L
for

AN ACT to amend and re-enact
Section 52-301 and 52-303,
Wyoming Compiled Statutes, 1945,
pertaining to the establishment
of the State Board of Insurance
Examiners; the licensing of
applicants to become insurance
agents or brokers within the
State of Wyoming; the procedure
in revocation of such licenses;
the licensing of employees of
duly licensed and qualified
agents; the responsibility of
insurance companies for agents
acts; the keeping of records in
regards to insurance agents, by
the Insurance Commissioner; and
renewal of licenses of companies,
agents or brokers.

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Introduced by Messrs.

Robert E. Holcomb
Marshall T. Hunt
Earl D. Cragg
Wm. F. Swanton

A BILL

for

AN ACT to amend and re-enact Section 52-301 and 52-303, Wyoming Compiled Statutes, 1945, pertaining to the establishment of the State Board of Insurance Examiners; the licensing of applicants to become insurance agents or brokers within the State of Wyoming; the procedure in revocation of such licenses; the licensing of employees of duly licensed and qualified agents; the responsibility of insurance companies for agents acts; the keeping of records in regards to insurance agents, by the Insurance Commissioner; and renewal of licenses of companies, agents or brokers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That Section 52-301, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

Section 52-301. It shall be the duty of the commissioner to file in his office and safely keep all books and papers required by law to be filed therein, and to keep and preserve in permanent form, a full record of his proceedings, including a concise statement of the condition of such insurance companies reported to or examined by him, to issue certificates of authority to transact insurance business to any insurance companies which have fully complied with the laws of this State, and issue such other certificates as required by law in the organization of insurance companies and the transaction of the business of insurance and

generally to do or perform with justice and impartiality all such duties as are, or may be imposed on him by the laws relating to the business of insurance in this State.

He shall require every domestic insurance company to keep its books, records, accounts, and vouchers in such a manner that he or his representatives, may readily verify its annual statement and ascertain whether the company is solvent and has complied with the provisions of the law.

The commissioner shall have the power to make all reasonable rules and regulations necessary to enforce the laws of this State relating to the business of insurance, * * * INCLUDING THE GRANTING OR REVOCATION OF LICENSES TO INSURANCE AGENTS OR BROKERS UPON THE RECOMMENDATION OF THE STATE BOARD OF INSURANCE EXAMINERS, AS HEREINAFTER PROVIDED.

He shall, annually, at the earliest practicable date, after the returns are received from the several companies, make a report to the Governor, of the affairs of the insurance department, which report shall contain a tabular statement and synopsis of the several statements as accepted by the commissioner, and such other matter, as in his opinion may be a benefit to the public, and shall make recommendations as he may deem proper in regard to the subject of insurance in this State.

Section 2. That Section 52-303, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

Section 52-303. * * * THERE IS HEREBY CREATED THE STATE BOARD OF INSURANCE EXAMINERS, HEREINAFTER REFERRED TO AS THE "BOARD". THE INSURANCE COMMISSIONER FOR THE STATE OF WYOMING SHALL BE AN EX-OFFICIO MEMBER OF, AND ACT AS CHAIRMAN OF THE BOARD. FIVE ADDITIONAL MEMBERS OF THE BOARD SHALL BE APPOINTED BY THE GOVERNOR. THE TERM OF OFFICE OF SAID MEMBERS SHALL BE FOR A PERIOD OF FOUR (4) YEARS FROM AND AFTER THE FIRST DAY OF MARCH IN THE YEAR OF HIS APPOINTMENT AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED. ALL OF SAID APPOINTMENTS BY THE GOVERNOR SHALL BE WITH THE CONSENT OF THE SENATE. PROVIDED THAT IN CASE OF VACANCY BY DEATH, RESIGNATION OR OTHERWISE, THE SAME SHALL BE FILLED THROUGH APPOINTMENT

BY THE GOVERNOR FOR THE REMAINDER OF THE TERM OF THE MEMBER WHOSE TERM HAS BEEN VACATED AND SAID APPOINTMENT SHALL BE SUBMITTED TO THE SENATE AT THE FIRST SUBSEQUENT GENERAL OR SPECIAL SESSION OF THE SENATE FOR CONFIRMATION. ALL MEMBERS APPOINTED TO THIS BOARD SHALL HAVE BEEN RESIDENTS OF, AND DULY LICENSED AGENTS OF INSURANCE, UNDER THE LAWS OF THE STATE OF WYOMING FOR A PERIOD OF AT LEAST FIVE YEARS LAST PRECEDING THE DATE OF APPOINTMENT. AT LEAST TWO SUCH MEMBERS SHALL BE FIRE AND CASUALTY AGENTS AND AT LEAST TWO SHALL BE LIFE AGENTS. PROVIDED FURTHER THAT NO TWO MEMBERS SHALL COME FROM THE SAME GENERAL AREA OF THIS STATE AND THAT FOR THE PURPOSES OF THIS ACT THE STATE SHALL BE DIVIDED INTO FIVE GENERAL AREAS, AS FOLLOWS:

- (1) COUNTIES OF TETON, SUBLETTE, LINCOLN, UINTE AND SWEETWATER;
- (2) COUNTIES OF CARBON, ALBANY, LARAMIE, PLATTE AND GOSHEEN;
- (3) COUNTIES OF FREMONT, NATHONA, CONVERSE AND NIOBRARA;
- (4) COUNTIES OF CROOK, WESTON, CAMPBELL, JOHNSON AND SHERIDAN;
- (5) COUNTIES OF WASHAKIE, BIG HORN, PARK AND HOT SPRINGS.

THE BOARD SHALL MEET AT LEAST TWO TIMES EACH YEAR, ONCE DURING THE FIRST WEEK IN MARCH AND ONCE DURING THE FIRST WEEK IN OCTOBER, FOR THE PURPOSES OF EXAMINATION OF APPLICANTS, HEARINGS ON REVOCATION OF LICENSES AND ANY OTHER MATTERS PERTAINING TO THE LICENSING OF INSURANCE AGENTS OR BROKERS. ALL ACTIONS UPON EXAMINATIONS OF APPLICANTS, HEARINGS UPON REVOCATION OF LICENSES AND OTHER MATTERS BEFORE THE BOARD SHALL BE IN ACCORDANCE WITH THE RULES AND REGULATIONS AS ADOPTED BY SAID BOARD, UNLESS OTHERWISE PROVIDED FOR HEREIN. PROVIDED THAT ACTION ON ANY APPLICATION SHALL NOT BE DELAYED MORE THAN SIXTY (60) DAYS FROM DATE OF APPLICATION. PROVIDED FURTHER, THE BOARD MAY HOLD SPECIAL MEETINGS AT ANY OTHER TIME IT SHALL BE DEEMED FOR THE BEST INTERESTS OF THE PUBLIC. SPECIAL MEETINGS SHALL BE CALLED BY THE COMMISSIONER EITHER UPON HIS OWN INITIATIVE, OR UPON RECEIPT BY THE COMMISSIONER OF WRITTEN REQUESTS FOR

SUCH MEETING BY AT LEAST THREE MEMBERS OF THE BOARD, AND DURING SUCH SPECIAL MEETING THE BOARD SHALL HAVE FULL POWER AND AUTHORITY TO DO ANYTHING OR TAKE ANY ACTION THAT COULD HAVE BEEN DONE AT ANY REGULAR MEETING. EACH MEMBER OF THE BOARD SHALL RECEIVE AS FULL COMPENSATION FOR EACH DAY ACTUALLY SPENT ON THE WORK OF SAID BOARD, THE SUM OF TEN DOLLARS (\$10.00) PER DAY AND HIS ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THE DUTIES PERTAINING TO HIS OFFICE. THE COMPENSATION AND ACTUAL AND NECESSARY EXPENSES OF THE BOARD AND ITS MEMBERS SHALL BE PAID OUT OF THE STATE TREASURY UPON AN ITEMIZED VOUCHER, DULY VERIFIED AND SIGNED BY THE CHAIRMAN OF THE BOARD, SHOWING THAT THE EXPENSE HAS BEEN ACTUALLY AND PROPERLY INCURRED IN THE PERFORMANCE OF THE DUTIES DEVOLVING UPON THE BOARD, OR THAT THE COMPENSATION HAS BEEN DULY EARNED, AS THE CASE MAY BE. UPON PRESENTATION OF SUCH VOUCHER, THE AUDITOR SHALL DRAW HIS WARRANT UPON THE TREASURER FOR THE AMOUNT THEREOF IN FAVOR OF THE PROPER PERSON. PROVIDED, HOWEVER, THAT THE AGGREGATE EXPENDITURES AND SALARIES OF SAID BOARD SHALL NOT EXCEED THE AMOUNT THAT MAY BE APPROPRIATED BY THE LEGISLATURE FOR ANY BIENNIAL PERIOD. PROVIDED FURTHER, THAT THE AMOUNT TO BE APPROPRIATED BY THE LEGISLATURE SHALL NOT EXCEED TWENTY-FIVE PER CENT. (25%) OF THE REVENUE RECEIVED AS A RESULT OF THIS ACT EXCLUDING THE TWO DOLLARS (\$2.00) LOCAL AGENTS FEES AND THE ADDITIONAL \$3.00 LICENSE FEES FOR SPECIAL, GENERAL OR STATE AGENTS.

THE BOARD SHALL ADOPT A SEAL WITH SUCH DESIGN AS THE BOARD MAY PRESCRIBE ENGRAVED THEREON, BY WHICH IT SHALL AUTHENTICATE ITS PROCEEDINGS. COPIES OF ALL SUCH RECORDS AND PAPERS DULY CERTIFIED AND AUTHENTICATED BY THE SEAL OF SAID BOARD SHALL BE RECEIVED IN EVIDENCE IN ALL COURTS EQUALLY AND WITH LIKE EFFECT AS THE ORIGINAL MAY HAVE BEEN RECEIVED.

AT ALL MEETINGS OF THE BOARD, A MAJORITY OF THE MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM, AND UPON ALL MATTERS BROUGHT BEFORE THE BOARD, A MAJORITY VOTE OF THE MEMBERS PRESENT SHALL DETERMINE THE ISSUE.

It shall be unlawful for any insurance company to write, place or cause to be written or placed, any contract or policy of insurance covering risks located in this State, except through or by a duly authorized

sed licensed agent of such company residing and doing business in this State; provided, that where the insured calls at the principal office of the company and requests a policy, the risk may be covered and the policy procured through the duly authorized agent wherein the risk is located.

* * * NO ONE SHALL ACT AS AN INSURANCE AGENT OR BROKER WITHIN THE STATE OF WYOMING, WITHOUT HAVING FIRST OBTAINED A LICENSE AS HEREINAFTER PROVIDED.

LICENSES SHALL BE GRANTED ONLY TO PERSONS WHO BEAR A GOOD REPUTATION FOR HONESTY, TRUTHFULNESS AND FAIR DEALING, WHO ARE COMPETENT TO TRANSACT THE BUSINESS OF INSURANCE IN SUCH A MANNER AS TO SAFEGUARD THE INTERESTS OF THE PUBLIC, PROVIDED THAT NO APPLICATION SHALL BE FILED ON BEHALF OF ANY PROSPECTIVE AGENT UNLESS SUCH PROSPECTIVE AGENT SHALL HAVE CONTINUOUSLY RESIDED IN THE STATE OF WYOMING FOR A PERIOD OF AT LEAST SIXTY (60) DAYS IMMEDIATELY PRECEDING THE DATE OF THE FILING OF SUCH APPLICATION, AND WHOSE APPLICATION FOR SUCH A LICENSE HAS NOT BEEN REJECTED IN THIS, OR ANY OTHER STATE, WITHIN A PERIOD OF SIX (6) MONTHS PRIOR TO THE DATE OF APPLICATION HEREIN, OR WHOSE LICENSE HAS NOT BEEN REVOKED FOR CAUSE IN THIS OR ANY OTHER STATE WITHIN TWO YEARS PRIOR TO DATE OF APPLICATION HEREIN. PROVIDED HOWEVER, NO ONE EXCEPT AN AMERICAN CITIZEN, EITHER NATIVE BORN OR NATURALIZED, SHALL BE ELIGIBLE TO SECURE A LICENSE AS AN INSURANCE AGENT OR BROKER.

ALL APPLICANTS FOR AN INSURANCE AGENTS OR BROKERS LICENSE SHALL APPLY THEREFOR IN WRITING TO THE INSURANCE COMMISSIONER UPON BLANKS PREPARED AND FURNISHED BY THE COMMISSIONER AND AS SHALL BE ADOPTED BY THE BOARD FOR THAT PURPOSE. SUCH APPLICATION SHALL BE ACCOMPANIED BY THE RECOMMENDATIONS OF AT LEAST FIVE (5) CITIZENS, NOT RELATED TO THE APPLICANT, OF GOOD STANDING IN THIS STATE, OR IN THE CASE OF AN OUT OF STATE APPLICANT FOR A BROKERS LICENSE, SAID RECOMMENDATIONS SHALL BE FROM DULY LICENSED AGENTS WITHIN THE STATE OF WYOMING, ALL OF WHICH SHALL CERTIFY THAT THE APPLICANT BEARS A GOOD REPUTATION FOR HONESTY, TRUTHFULNESS, FAIR DEALING AND COMPETENCY, AND RECOMMENDING THAT A LICENSE BE GRANTED THE APPLICANT. EVERY APPLICATION FOR LICENSE SHALL STATE THE NAMES OF THE PERSON, FIRM, PARTNERSHIP,

ASSOCIATION OR CORPORATION WITH WHICH THE APPLICANT WILL BE ASSOCIATED IN THE BUSINESS OF INSURANCE AND THE LOCATION OF THE OFFICIAL ADDRESS OF RECORD OF THE APPLICANT FOR THE RECORDS OF THE INSURANCE COMMISSIONER, AND SAID APPLICATION SHALL SET FORTH THE PERIOD OF TIME WHICH SAID APPLICANT HAS BEEN ENGAGED IN THE INSURANCE BUSINESS, IN WHAT CAPACITY THEREIN, FOR A PERIOD OF SIXTY DAYS OR MORE, DURING THE LAST FIVE YEARS, AND ANY OTHER INFORMATION THAT THE BOARD SHALL DEEM PERTINENT.

WHEN SUCH APPLICATION HAS BEEN PROPERLY MADE TO THE INSURANCE COMMISSIONER, THE SAME SHALL BE REFERRED BY HIM TO THE STATE BOARD OF INSURANCE EXAMINERS, WHO SHALL THEN EXAMINE THE APPLICANTS TOUCHING THEIR QUALIFICATIONS FOR THE RIGHTS TO BE GRANTED SUCH A LICENSE. THE BOARD SHALL THEN REPORT ITS PROCEEDINGS ON THE EXAMINATION TO COMMISSIONER WITH RECOMMENDATIONS IN THE PREMISES. IF UPON THESE RECOMMENDATIONS THE INSURANCE COMMISSIONER SHALL FIND THE APPLICANT TO BE QUALIFIED, AND TO BE OF GOOD MORAL CHARACTER AND WORTHY TO BE GRANTED SUCH A LICENSE, THE INSURANCE COMMISSIONER SHALL GRANT SUCH LICENSE TO THE APPLICANT.

THE LICENSE SHALL BE IN SUCH FORM AND SIZE AS SHALL BE PRESCRIBED BY THE BOARD, AND SHALL HAVE IMPRINTED THEREON THE SEAL OF THE BOARD. THE LICENSE SHALL BE MAILED TO THE APPLICANTS ADDRESS OF RECORD. IT SHALL BE THE DUTY OF EACH PERSON RECEIVING SUCH LICENSE TO CONSPICUOUSLY DISPLAY SAID LICENSE IN HIS PLACE OF BUSINESS. THE COMMISSIONER SHALL PREPARE AND DELIVER TO EACH LICENSEE, A POCKET CARD, WHICH SHALL CONTAIN THE IMPRINT OF THE SEAL OF THE BOARD, DULY CERTIFYING THAT THE PERSON WHOSE NAME APPEARS THEREON IS DULY LICENSED BY SAID BOARD, AND ANY OTHER MATTER THAT MAY BE PRESCRIBED BY SAID BOARD.

ALL APPLICATIONS FOR AGENTS OR BROKERS LICENSE SHALL BE ACCOMPANIED BY A FEE OF TWENTY-FIVE (\$25.00) DOLLARS. THIS FEE SHALL CONSTITUTE PAYMENT OF THE COST OF EXAMINATION AND THE FIRST YEARS LICENSE FEE THEREAFTER. SAID LICENSE MAY BE RENEWED EACH YEAR THEREAFTER, UPON PAYMENT OF A RENEWAL FEE OF TEN (\$10.00 DOLLARS PER YEAR IN ADVANCE. PROVIDED, THAT ALL PERSONS WHO ARE DULY QUALIFIED AGENTS OR BROKERS AND ENGAGED IN THE BUSINESS THEREOF, UPON THE DATE OF THE TAKING EFFECT OF THIS ACT, SHALL NOT BE REQUIRED TO PAY THE ORIGINAL APPLICATION FEE, NOR TAKE EXAMINATION THEREFORE, BUT UPON PAYMENT OF THE RENEWAL FEE, AS SET FORTH ABOVE, SHALL BE

GRANTED LICENSE ACCORDINGLY.

PROVIDED, HOWEVER, THAT GENERAL OR SPECIAL AGENTS AND STATE AGENTS FOR FIRE AND CASUALTY INSURANCE COMPANIES ONLY WHO ARE NON-RESIDENTS OF THIS STATE, NOT ACTUALLY ENGAGED IN WRITING, PLACING OR CAUSING TO BE WRITTEN, ANY CONTRACTS OR POLICIES OF INSURANCE IN THIS STATE, BUT MERELY ACTING IN AN ADVISORY OR ASSISTANT CAPACITY TO A DULY LICENSED AGENT OF THIS STATE, SHALL, WITHOUT EXAMINATION BY THE BOARD, BE GRANTED A GENERAL OR SPECIAL AGENTS LICENSE AS SUCH, UPON THE PAYMENT OF AN ANNUAL FEE OF FIVE (\$5.00) DOLLARS, AND UPON THE FILING OF PROPER QUALIFICATIONS WITH THE INSURANCE COMMISSIONER, AS SHALL BE PRESCRIBED BY THE BOARD.

THAT IN ADDITION TO THE ANNUAL RENEWAL LICENSE FEE FOR LOCAL AGENTS OF ALL TYPES DOING BUSINESS WITHIN THIS STATE, EACH REGULARLY LICENSED LOCAL AGENT SHALL PAY A FEE OF TWO (\$2.00) DOLLARS FOR EACH COMPANY REPRESENTED. A LICENSED LOCAL AGENT MAY BE LICENSED AS A GENERAL OR SPECIAL AGENT FOR A COMPANY UPON THE PAYMENT OF AN ADDITIONAL THREE (\$3.00) DOLLARS PER ANNUM.

License years shall be from April 1st of each calendar year, to March 31st, of the next calendar year. All licenses unless sooner revoked shall expire on March 31st of the license year for which they shall have been issued, and shall be renewable annually.

* * * WHEN A LICENSED INSURANCE COMPANY WISHES TO APPOINT A LOCAL AGENT OR BROKER, FOR THE PURPOSES OF CARRYING OUT THE BUSINESS OF INSURANCE WITHIN THIS STATE, SUCH COMPANY SHALL CAUSE SUCH LOCAL AGENT OR BROKER TO FILL OUT AND SIGN A QUALIFICATION FORM AS SHALL BE PRESCRIBED BY THE BOARD SHOWING WHETHER OR NOT SAID PERSON IS A DULY LICENSED AGENT OR BROKER, UNDER THE LAWS OF THIS STATE, AND THE SAME SHALL BE FILED WITH THE INSURANCE COMMISSIONER WHO SHALL PROMPTLY REVIEW THE SAME AND IF THE COMMISSIONER BE SATISFIED THAT THE PROSPECTIVE AGENT IS A DULY LICENSED AGENT OR BROKER, UNDER THE LAWS OF THIS STATE, HE SHALL THEN ISSUE A PERMIT TO SAID PERSON TO REPRESENT SAID INSURANCE COMPANY. IF IT SHALL APPEAR THAT SAID PERSON IS NOT A DULY LICENSED AGENT OR BROKER, SAID PERMIT SHALL BE REFUSED UNTIL SAID PERSON HAS, UPON APPLICATION AND EXAMINATION, BECOME A DULY LICENSED AGENT OR BROKER, UNDER THE LAWS OF THIS STATE.

IT IS HEREBY SPECIFICALLY PROVIDED, HOWEVER, THAT THE COMMISSIONER, UPON RECOMMENDATION OF THE BOARD MAY ISSUE A TEMPORARY AGENT'S OR BROKER'S LICENSE WITHOUT REQUIRING THE APPLICANT TO PASS AN EXAMINATION OR TO SATISFY THE OTHER REQUIREMENTS OF THIS SECTION, EXCEPT AS TO HONESTY, TRUTHFULNESS AND FAIR DEALING, IN THE FOLLOWING CASES: (A) TO THE EXECUTOR OR ADMINISTRATOR OF THE ESTATE OF A DECEASED PERSON WHO AT THE TIME OF HIS DEATH WAS A LICENSED INSURANCE AGENT OR BROKER IN THIS STATE; (B) TO A SURVIVING NEXT OF KIN OF SUCH A DECEASED AGENT OR BROKER WHERE NO ADMINISTRATOR OF HIS ESTATE HAS BEEN APPOINTED AND NO EXECUTOR HAS QUALIFIED UNDER HIS DULY PROBATED WILL. BEFORE ANY SUCH LICENSE SHALL BE ISSUED, THERE SHALL BE FILED IN THE OFFICE OF THE COMMISSIONER, A WRITTEN APPLICATION BY THE PERSON DESIRING SUCH LICENSE, IN SUCH FORM AND SUPPLEMENTS THERETO, AND CONTAINING SUCH INFORMATION, AS THE BOARD MAY PRESCRIBE. NO FEE SHALL BE CHARGED FOR ANY SUCH LICENSE OR ANY RENEWAL THEREOF. SUCH LICENSE MAY BE ISSUED FOR A TERM NOT EXCEEDING 90 DAYS FROM THE DEATH OF SUCH DECEASED, AND THE COMMISSIONER, UPON RECOMMENDATION OF THE BOARD, MAY RENEW SUCH LICENSE FOR AN ADDITIONAL TERM, OR TERMS, OF 90 DAYS EACH, NOT EXCEEDING IN THE AGGREGATE FIFTEEN (15) MONTHS. A LICENSE ISSUED TO THE NEXT OF KIN SHALL NOT BE RENEWED IF, BEFORE THE EXPIRATION OF ITS TERM, AN ADMINISTRATOR OR EXECUTOR OF THE DECEASED SHALL HAVE APPLIED FOR AND QUALIFIED FOR SUCH A LICENSE.

* * * In the event a license has been issued to any agent OR BROKER, the insurance commissioner, UPON RECOMMENDATION OF THE BOARD, may revoke and cancel the license of such agent OR BROKER, if in * * * THE OPINION OF THE BOARD, such agent OR BROKER, has violated any of the insurance laws of this State or is unworthy or incompetent or is not holding himself out in good faith as an insurance agent OR BROKER. Provided, no license shall be cancelled until the * * * BOARD has made an honest effort to give the * * * PARTY affected an opportunity for a hearing. Notice sent to him by registered mail at his address last furnished to the insurance department shall be construed as being an honest effort to give said * * * PARTY a hearing.

Unless said * * * PARTY can be sooner notified and opportunity for hearing be given, no license shall be cancelled until ten (10) days after the posting by registered mail of such notice. UPON REVOCATION OF A LICENSE, THE ORIGINAL HOLDER THEREOF MAY, WITHIN SIXTY (60) DAYS THEREAFTER, FILE IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF THE COUNTY OF HIS RESIDENCE, OR IN CASE OF AN OUT OF STATE BROKER THE DISTRICT COURT OF THE COUNTY OF LARAMIE, STATE OF WYOMING, A PETITION SETTING FORTH THE FACTS OF THE REVOCATION AND THE GROUNDS THEREFOR, TOGETHER WITH SUCH DEFENSES AS WERE PRESENTED TO THE SAID BOARD AND A CERTIFIED COPY OF THE RECORD OF THE SAID BOARD PERTAINING TO SAID REVOCATION TOGETHER WITH ALL PAPERS AND DOCUMENTS CONNECTED WITH SAID RECORD AND REVOCATION. THE CLERK OF THE DISTRICT COURT SHALL IMMEDIATELY SERVE NOTICE OF SAID APPEAL BY REGISTERED MAIL ON THE SECRETARY OF THE SAID BOARD TOGETHER WITH A COPY OF THE PETITION, WHEREUPON THE APPEAL SHALL BE PERFECTED AND THE DISTRICT COURT SHALL TRY THE CASE DE NOVO, IN LIKE MANNER AS APPEALS FROM JUSTICES OF THE PEACE. IT SHALL BE PART OF THE OFFICIAL DUTIES OF THE ATTORNEY GENERAL AND THE COUNTY AND PROSECUTING ATTORNEY OF THE COUNTRY TO REPRESENT SAID BOARD AT SUCH TRIAL.

* * * Whoever, for compensation, not being the licensed agent, general agent, special agent or agent's employee of the Company in which any insurance is effected, acts or aids in any manner in negotiating contracts of insurance, or placing risks or effecting insurance for a person other than himself, shall be an insurance broker, and no person shall act as such broker, except as * * * HEREINBEFORE PROVIDED IN THIS SECTION.

Any person soliciting insurance for any company shall be deemed an insurance agent, and shall be liable to all requirements, liabilities and penalties of this law, and such company by compensating such person through any of its officers or agents or employees for soliciting, shall thereby accept and acknowledge such person as its agent in such transaction. Provided, however, that a duly licensed agent placing a risk or policy which his company or companies for any reason cannot accept, in another company doing the same kind of insurance business, shall not for such transaction

be required to have an agents license for such other company. PROVIDED, HOWEVER, THAT AN EMPLOYEE OF A DULY LICENSED INSURANCE AGENT, WHOSE PRIMARY DUTIES ARE THAT OF CLERICAL AND OFFICE PROCEDURES, AND WHO FROM TIME TO TIME, MIGHT, IN THE NORMAL COURSE OF BUSINESS, BE CALLED UPON BY SAID AGENT TO CONTACT PERSONS FOR THE PURPOSE OF INQUIRING INTO THE RENEWAL OF POLICIES ALREADY IN EXISTENCE, SHALL NOT BE CONSTRUED TO BE AN AGENT FOR THE PURPOSES OF THIS ACT.

If a note, draft or other instrument or obligation (hereinafter called time settlement) be given, taken or accepted by an agent OR BROKER, of an insurance company for or on account of any premium or payment (or any part thereof) payable or to become payable, under any application to, or policy of insurance issued by such company, be sold, assigned or hypothecated by the agent, BROKER or the company before delivery of the policy, and the policy be not subsequently delivered, or delivery in good faith tendered, the company issuing the policy or to which application shall have been taken, shall be responsible to the maker of such time settlement for the prompt and safe return thereof and without additional cost of attorney's fees.

The insurance commissioner shall keep a suitable record of all companies agents' * * * and brokers' licenses issued and shall enter thereon a record of all revocations which entry shall show the cause of such revocation and all such entries shall be preserved as a future record in the insurance department. For the purpose of assisting the insurance commissioner in keeping this record each company requesting cancellation of any agents' OR BROKERS' license * * * shall state the cause for which said cancellation is requested.

Any insurance company or its agent, * * * OR BROKER, violating any of the provisions of this Act (Sections 52-301 - - 52-515) shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 and the cancellation of its authority to do business in the State of Wyoming. It is further provided in the event such company's certificate of authority has been revoked as herein before provided, it may resume business upon the following conditions:

That it shall, by a written pledge from the directors or executive body, in authority over the officers, agree that this section will be

faithfully observed. If there be no such directors or executive body located in the United States then such pledge from the officer or officers located in the United States and having the highest authority for the company shall suffice.

When the annual statement of an insurance company licensed to do business in this State shall have been filed and its check or cash for the amount of all fees and taxes required shall have been paid; the company's license to do business in this State shall thereby be automatically extended until the Insurance Commissioner shall duly refuse to or shall re-license such company; and when check or cash shall have been paid for renewal of an agent's OR BROKER'S license the remittance shall automatically extend the agent's OR BROKER'S license until the Insurance Commissioner UPON THE RECOMMENDATION OF THE BOARD, shall duly refuse to, or shall re-license such agent OR BROKER.

Section 3. This Act shall take effect and be in force from and after March 1, 1951.