

Jordy

7 (7)

91 LSO -0690

SENATE FILE 0180

SENATE FILE 0180

SF0180PT02

AN ACT to create W.S. 26-9-141 relating to insurance; authorizing insurance marketers; specifying requirements; imposing license fees; providing penalties; providing rulemaking authority; and providing for an effective date.

Introduced by:

Jordy

DATE	ACTION	DATE	ACTION
JAN 28 1991	INTRODUCED		Standing Com. Amendment SF180 H31/AR
	READ FIRST TIME		Adopted
	REFERRED TO COM. NO. <u>7</u>		Recommended do <u>7</u> pass
	DELIVERED TO COM. NO. <u>7</u>		
JAN 28 1991	STANDING COMM. REPORT	FEB 15 1991	READ SECOND TIME
	RECOMMEND AMEND AND DO PASS	FEB 15 1991	READ THIRD TIME
JAN 30 1991	CONSIDERED IN COM. OF WHOLE		CONSENT LIST
	STANDING COM. AMDT. ADOPTED		PASSES Ayes <u>62</u> Noes <u>2</u> Excused <u>0</u> Absent <u>0</u>
	<i>SF 0180SS1/A</i>		Sent to Senate
	DO PASS	FEB 15 1991	Received Amended
JAN 31 1991	READ SECOND TIME		Senate did Concur on House Amendment
	DO PASS		Ayes <u>27</u> Noes <u>2</u> Excused <u>2</u> Absent <u>0</u>
FEB 1 1991	READ THIRD TIME		Delivered to Enrolling Section
	CONSENT LIST		SBA NO. <u>48</u>
	PASSED		SIGNED BY PRESIDENT FEB 19 1991
	AYES <u>28</u> NOES <u>2</u> EXCUSED <u>0</u> ABSENT <u>0</u>		SIGNED BY SPEAKER
	Sent to LSO		APPROVED BY GOVERNOR 02-22-91
2-1-91	ENGROSSED		Chapter No. 0108, Session
2-1-91	Sent to House		House of Wyoming
FEB 5 1991	REFERRED TO COM. NO. <u>7</u>		
	DELIVERED TO COM. NO. <u>7</u>		
FEB 13 1991	RETURNED		
	Recommended Amend and DO PASS <u>9</u> AYES		
FEB 14 1991	CONSIDERED IN COM. OF WHOLE		

CONTINUED ON BACK

San. Yordy

SF 180 Consent Date 2-18-91

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	-		✓	
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MADER	✓			
MALDONADO	✓			
PECK	✓			
PERRY			✓	
PREVEDEL			✓	
REESE	✓			
SCOTT	✓			
TRUE				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT _____ AYES 27

NOES _____

EXCUSED 3

ABSENT _____

TOTAL 30

SF 180 3rd Date 2-1-91

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY		✓		
KINNISON	✓			
LALONDE	✓			
MADER	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE		✓		
SCOTT	✓			
TRUE				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT _____ AYES 28
 NOES 2
 EXCUSED _____
 ABSENT _____
 TOTAL 30

C 7 # 29180 Hub Perkins Date 2/18/91

HOUSE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
✓				ALDEN	✓				MICHELI
✓				ANDERSON	✓				MILLER
✓				ARNOLD	✓				O'TOOLE
✓				BEBOUT	✓				PERKINS, D.
✓				BENSEL	✓				PERKINS, J.
✓				BLACKWELL	✓				PHELAN
✓				BODINE	✓				PLANT
	✓			BOWRON	✓				RANKINE
✓				BUDD	✓				RATLIFF
✓				CALL	✓				ROHRBACH
✓				CHAMBERLAIN	✓				RYCKMAN
				GROSS	✓				SCHWOPE
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
	✓			DUNNUCK	✓				SULLIVAN
✓				ENZI	✓				TEMPEST
✓				GAMS	✓				TIBBS
✓				GARCIA	✓				TIPPETS
✓				GOODENOUGH	✓				TIPTON
✓				GRANT	✓				TYSDAL
✓				HACKER	✓				VASEY
✓				HAGEMAN	✓				VLASTOS
✓				HANSEN	✓				WALLIS
✓				HARRIS	✓				WATSON
✓				HARRISON, F.	✓				WOLD
✓				HARRISON, R.	✓				WOLFLEY
✓				HINCHEY	✓				WRIGHT
✓				HINES	✓				ZUMBRUNNEN
✓				HONAKER	✓				MR. SPEAKER
✓				HUMPHREY					
✓				KUNZ					
✓				LAW					
✓				LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
✓				MCMILLAN, B.					

AYES 62
 NOES 2
 EXCUSED _____
 ABSENT _____
 TOTAL 64
 LESS _____

PRESENT _____

SF 180

1 SF0180HS1/AE TO ENGROSSED COPY
2 Page 1-line 10 Delete "may" insert "shall".
3 Page 2-line 10 Delete "telemarketer" insert "insurance
4 marketer". P. MACMILLAN, CHAIRMAN

M.1
Adopted

House of Intro
To Com. No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

Second House
To Com No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

ENGROSSED

1991

STATE OF WYOMING

91LSO-0690.ENG

SENATE FILE NO. 0180

Insurance marketers.

Sponsored by: Senator(s) YORDY

A BILL

for

1 AN ACT to create W.S. 26-9-141 relating to insurance;
2 authorizing insurance marketers; specifying requirements;
3 imposing license fees; providing penalties; providing
4 rulemaking authority; and providing for an effective date.

5 Be It Enacted by the Legislature of the State of Wyoming:

6 Section 1. W.S. 26-9-141 is created to read:

7 26-9-141. Insurance marketers; requirements; penal-
8 ties; rulemaking authority.

9 (a) An individual located in this state but not
10 licensed as an insurance agent, broker or solicitor may
11 not commit nor bind any insurance policy but may solicit

1 or take applications for insurance on risks not resident,
2 located or to be performed in Wyoming if:

3 (i) The individual is named in and listed under
4 the resident agent's license of a firm or corporation as
5 an insurance marketer and is employed by the firm or cor-
6 poration;

7 (ii) The firm or corporation who directly or
8 indirectly employs the insurance marketer is licensed as a
9 resident agent pursuant to chapter 9 of the Insurance Code
10 and pays a licensing fee for each telemarketer in an
11 amount determined by the insurance commissioner of not to
12 exceed twenty dollars (\$20.00);

13 (iii) The insurance marketer meets the residency
14 requirements of W.S. 26-9-106;

15 (iv) The insurance marketer is not compensated
16 based upon sales of insurance products or on a commission
17 basis;

18 (v) Any persons who are responsible for the
19 direct supervision and verification of the insurance
20 transactions of the insurance marketers are licensed as
21 resident Wyoming agents pursuant to chapter 9 of the

1 Insurance Code;

2 (vi) As required by the insurance commissioner,
3 it can be demonstrated to the Wyoming insurance department
4 that the insurance product being solicited has been
5 approved by the insurance supervisory official of the
6 state whose residents are being contacted by the insurance
7 marketer, and that the insurance supervisory official of
8 that state has been notified as to the method of marketing
9 that product; and

10 (vii) The method and procedures utilized to
11 supervise and verify the insurance transactions of the
12 insurance marketers are filed with and approved by the
13 Wyoming insurance department prior to solicitation by the
14 insurance marketers.

15 (b) Any violations of the Wyoming Insurance Code by
16 an insurance marketer constitutes a violation of the code
17 by the persons who employ, supervise or verify the trans-
18 actions of the insurance marketers and subjects those per-
19 sons to civil or criminal penalties or the suspension or
20 revocation of any insurance licenses issued by the Wyoming
21 insurance department.

22 (c) The commissioner shall adopt reasonable rules and

1 regulations necessary to carry out the provisions of this
2 section in accordance with W.S. 26-2-110.

3 Section 2. This act is effective immediately upon
4 completion of all acts necessary for a bill to become law
5 as provided by Article 4, Section 8 of the Wyoming Consti-
6 tution.

7 (END)

JAN 30 1991

SF180 ①

SF0180SS1/ A

- ✓ Page 1-line 2 After second ";" insert "imposing license fees;".
 - ✓ Page 2-line 5 After "marketer" insert "and is employed by the firm or corporation".
 - ✓ Page 2-line 9 After "Code" insert "and pays a licensing fee for each telemarketer in an amount determined by the insurance commissioner of not to exceed twenty dollars (\$20.00)".
 - ✓ Page 2-line 20 Before "It" insert "As required by the insurance commissioner,".
 - ✓ Page 3-line 1 After "solicited" delete line through "product".
 - ✓ Page 3-line 4 After "marketer" insert ", and that the insurance supervisory official of that state has been notified as to the method of marketing that product". SCOTT, CHAIRMAN
- and*

House of Intro
To Com. No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

Second House
To Com No. _____
Stand Report Do ___ Amd ___ Not ___
Com Whole Do ___ Amd ___ Not ___
2nd Reading Amd ___
3rd Reading Amd ___ Pass ___ Fail ___

INTRODUCED

1991

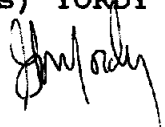
STATE OF WYOMING

91LSO-0690.01

SENATE FILE NO. 0180

Insurance marketers.

Sponsored by: Senator(s) YORDY



A BILL

for

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7 26-9-141. Insurance marketers; requirements; penal-
8 ties; rulemaking authority.

9 (a) An individual located in this state but not
10 licensed as an insurance agent, broker or solicitor may
11 not commit nor bind any insurance policy but may solicit

1 or take applications for insurance on risks not resident,
2 located or to be performed in Wyoming if:

3 (i) The individual is named in and listed under
4 the resident agent's license of a firm or corporation as
5 an insurance marketer;

6 (ii) The firm or corporation who directly or
7 indirectly employs the insurance marketer is licensed as a
8 resident agent pursuant to chapter 9 of the Insurance
9 Code;

10 (iii) The insurance marketer meets the residency
11 requirements of W.S. 26-9-106;

12 (iv) The insurance marketer is not compensated
13 based upon sales of insurance products or on a commission
14 basis;

15 (v) Any persons who are responsible for the
16 direct supervision and verification of the insurance
17 transactions of the insurance marketers are licensed as
18 resident Wyoming agents pursuant to chapter 9 of the
19 Insurance Code;

20 (vi) It can be demonstrated to the Wyoming
21 insurance department that the insurance product being

1 solicited and the method of marketing that product has
2 been approved by the insurance supervisory official of the
3 state whose residents are being contacted by the insurance
4 marketer; and

5 (vii) The method and procedures utilized to
6 supervise and verify the insurance transactions of the
7 insurance marketers are filed with and approved by the
8 Wyoming insurance department prior to solicitation by the
9 insurance marketers.

10 (b) Any violations of the Wyoming Insurance Code by
11 an insurance marketer constitutes a violation of the code
12 by the persons who employ, supervise or verify the trans-
13 actions of the insurance marketers and subjects those per-
14 sons to civil or criminal penalties or the suspension or
15 revocation of any insurance licenses issued by the Wyoming
16 insurance department.

17 (c) The commissioner shall adopt reasonable rules and
18 regulations necessary to carry out the provisions of this
19 section in accordance with W.S. 26-2-110.

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____
=====			
<u>Anticipated COST to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
General Fund	\$3,500.00	\$1,500.00	-0-
TOTAL ESTIMATED COST	\$3,500.00	\$1,500.00	-0-
=====			
<u>Anticipated SAVINGS to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____
=====			
<u>Anticipated Change in Personnel:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____
=====			

CORRECTED FISCAL NOTE**SF 180**

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

<u>Anticipated COST to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
General Fund	\$5,000.00	\$5,000.00	\$5,000.00
TOTAL ESTIMATED COST	\$5,000.00	\$5,000.00	\$5,000.00

<u>Anticipated SAVINGS to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, January 25, 1991.

Mr. President:

Your Committee No. 7 on CORPORATIONS, ELECTIONS & POLITICAL SUBDIVISIONS

to whom was referred SF No. 0180

respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendment:

Pay 4 line 2 After "and is employed by the firm or corporation".

Page 2 - line 5 After "marketer" insert "and is employed by the firm or corporation".

Page 2 - line 9 After "Code" insert "and pays a licensing fee for each telemarketer in an amount not exceeding twenty dollars (\$20) as shall from time to time be determined by the insurance commissioner". *As not to exceed twenty dollars (\$20.00)*

Page 2 - line 20 Before "It" insert "As required by the insurance commissioner,".

Page 3 - line 1 After "solicited" delete line through "product".

Page 3 - line 4 After "marketer" insert ", and that the insurance supervisory official of that state has been notified as to the method of marketing that product".

AYES: Senators Scott, Applegate, Herbst, Kinnison and Yordy

6F01906611

TJHC

Charles K. Scott
Charles K. Scott,

Chairman

- Page 1-line 2 After second ";" insert "imposing license fees;".
- Page 2-line 5 After "marketer" insert "and is employed by the firm or corporation".
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THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

SF 0180 NSI/ (TEC)

Cheyenne, February 13....., 1991....

Mr. Speaker:

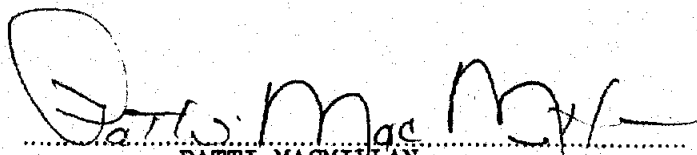
Your Committee No. 7 on CORPORATIONS, ELECTIONS & POLITICAL SUBDIVISIONS
 to whom was referred Senate File No. 0180 ENGROSSED
 respectfully reports same back to the House with the recommendation that
 it DO PASS with the following amendments:

Page 1 Line 10 - Delete "may" insert "shall" .

Page 2 Line 10 - Delete "telemarketer" insert "Insurance marketer" .

AYESNOESEXCUSED

Rep. Bebout
 DeWitt
 Hansen
 Hinchey
 Kunz
 McMillan, B
 Sullivan
 Vaastos
 MacMillan, P.


 PATTI MACMILLAN, Chairman

PM

19189, 203, 211, 233, 236, 231

#

Date

2/18/91

HOUSE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
✓				ALDEN	✓				MICHELI
✓				ANDERSON	✓				MILLER
✓				ARNOLD	✓			AD	O'TOOLE
✓				BEBOUT	✓				PERKINS, D.
✓				BENSEL	✓				PERKINS, J.
✓			AD	BLACKWELL	✓				PHELAN
✓				BODINE	✓				PLANT
	✓			BOWRON	✓				RANKINE
✓				BUDD	✓				RATLIFF
✓				CALL	✓				ROHRBACH
✓				CHAMBERLAIN	✓				RYCKMAN
				GROSS	✓				SCHWOPE
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
✓				DUNNUCK	✓				SULLIVAN
✓				ENZI	✓				TEMPEST
✓				GAMS	✓				TIBBS
✓				GARCIA	✓				TIPPETS
✓				GOODENOUGH	✓				TIPTON
✓				GRANT	✓				TYSDAL
✓				HACKER	✓				VASEY
✓				HAGEMAN	✓				VLASTOS
✓				HANSEN	✓				WALLIS
✓				HARRIS	✓				WATSON
✓				HARRISON, F.	✓				WOLD
✓				HARRISON, R.	✓				WOLFLEY
✓				HINCHEY	✓				WRIGHT
✓				HINES	✓				ZUMBRUNNEN
✓				HONAKER	✓				MR. SPEAKER
✓				HUMPHREY	AYES <u>63</u> PRESENT _____ NOES <u>1</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS _____				
✓				KUNZ					
✓				LAW					
✓				LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
✓				MCMILLAN, B.					

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