

By: Senator(s) Gordon

To: Insurance

SENATE BILL NO. 2891

1 AN ACT TO AMEND SECTION 83-17-63, MISSISSIPPI CODE OF 1972,  
2 TO CREATE A LIMITED LINES PRODUCER LICENSE FOR TERM LIFE  
3 INSURANCE; TO BRING FORWARD SECTION 83-17-59, MISSISSIPPI CODE OF  
4 1972, WHICH PROVIDES FOR WRITTEN EXAMINATION OF APPLICANTS FOR AN  
5 INSURANCE PRODUCER LICENSE; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 83-17-63, Mississippi Code of 1972, is  
8 amended as follows:

9 83-17-63. (1) Unless denied licensure under Section  
10 83-17-71, persons who have met the requirements of Sections  
11 83-17-59 and 83-17-61, shall be issued an insurance producer  
12 license. An insurance producer may receive qualification for a  
13 license in one or more of the following lines of authority:

14 (a) Life: insurance coverage on human lives including  
15 benefits of endowment and annuities and may include benefits in  
16 the event of death or dismemberment by accident and benefits for  
17 disability income.

18 (b) Accident and health or sickness: insurance  
19 coverage for sickness, bodily injury or accidental death and may  
20 include benefits for disability income.

21 (c) Property: insurance coverage for the direct or  
22 consequential loss or damage to property of every kind.

23 (d) Casualty: insurance coverage against legal  
24 liability, including that for death, injury or disability or  
25 damage to real or personal property.

26 (e) Variable life and variable annuity products:  
27 insurance coverage provided under variable life insurance  
28 contracts and variable annuities.

29                   (f) Term life: insurance coverage provided under term  
30 life insurance contracts.

31                   (f) Personal lines: property and casualty insurance  
32 coverage sold to individuals and families for primarily  
33 noncommercial purposes.

34                   (g) Credit: limited line credit insurance.

35                   (h) Any other line of insurance permitted under state  
36 laws or regulations.

37                   (2) An insurance producer license shall remain in effect  
38 unless revoked or suspended as long as the fee set forth in  
39 Sections 27-15-87 and 27-15-93 is paid and education requirements  
40 for resident individual producers are met by the due date.

41                   (3) An individual insurance producer who allows his or her  
42 license to lapse may, within twelve (12) months from the due date  
43 of the renewal fee, reinstate the same license without the  
44 necessity of passing a written examination. The penalty for such  
45 late renewal shall be in compliance with Section 27-15-215.

46                   (4) A licensed insurance producer who is unable to comply  
47 with license renewal procedures due to military service or some  
48 other extenuating circumstances, including, but not limited to, a  
49 long-term medical disability may request a waiver of those  
50 procedures. The producer may also request a waiver of any  
51 examination requirement or any other fine or sanction imposed for  
52 failure to comply with renewal procedures.

53                   (5) The license shall contain the licensee's name, address,  
54 personal identification number and the date of issuance, the lines  
55 of authority, the expiration date and any other information the  
56 commissioner deems necessary.

57                   (6) Licensees shall inform the commissioner by any means  
58 acceptable to the commissioner of a change of address within  
59 thirty (30) days of the change. Failure to timely inform the  
60 commissioner of a change in legal name or address shall result in  
61 a penalty under Section 83-17-71.

62           (7) In order to assist in the performance of the  
63 commissioner's duties, the commissioner may contract with  
64 nongovernmental entities, including the National Association of  
65 Insurance Commissioners (NAIC) or any affiliates or subsidiaries  
66 that the NAIC oversees, to perform any ministerial functions,  
67 including the collection of fees, related to producer licensing  
68 that the commissioner and the nongovernmental entity may deem  
69 appropriate.

70           **SECTION 2.** Section 83-17-59, Mississippi Code of 1972, is  
71 brought forward as follows:

72           83-17-59. (1) A resident individual applying for an  
73 insurance producer license shall pass a written examination unless  
74 exempt under Section 83-17-67 or Section 83-17-39. The  
75 examination shall test the knowledge of the individual concerning  
76 the lines of authority for which application is made, the duties  
77 and responsibilities of an insurance producer and the insurance  
78 laws and regulations of this state. Examinations required by this  
79 section shall be developed and conducted under rules and  
80 regulations prescribed by the commissioner.

81           (2) The commissioner may make arrangements, including  
82 contracting with an outside testing service, for administering  
83 examinations and collecting a nonrefundable examination fee.

84           (3) Each individual applying for an examination shall remit  
85 a nonrefundable fee as prescribed by the commissioner.

86           (4) An individual who fails to appear for the examination as  
87 scheduled or fails to pass the examination shall reapply for an  
88 examination and remit all required fees and forms before being  
89 rescheduled for another examination.

90           **SECTION 3.** This act shall take effect and be in force from  
91 and after July 1, 2005.