

Senate Amendments to House Bill No. 1084

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

18 **SECTION 1.** Section 83-17-251, Mississippi Code of 1972, is
19 amended as follows:

20 83-17-251. (1) Every individual seeking to be licensed as
21 an insurance producer in the State of Mississippi, as a condition
22 of issuance of an original license, must furnish the Commissioner
23 of Insurance certification on a form prescribed by the
24 commissioner that he or she has completed an approved prelicensing
25 course of study for the line of insurance requested.

26 (2) The prelicensing course of study hours shall consist of
27 twenty (20) hours of approved prelicensing education courses per
28 line of authority. The Commissioner of Insurance shall determine
29 the content requirements for each prelicensing course of study.
30 The prelicensing educational requirements of this section shall
31 not apply to:

32 (a) An individual that is exempt from taking the
33 written examination as provided in Section 83-17-39(1) and Section
34 83-17-67.

35 (b) An individual who has received a bachelor's degree
36 with major coursework in insurance from an accredited institution
37 of higher learning.

38 (c) An individual holding a current and valid CEBS,
39 CHFC, CIC, CFP, CLU, FLMI, LUTCF designation is exempt for the
40 life line of authority.

41 (d) An individual holding a current and valid RHU,
42 CEBS, REBC, HIA designation is exempt for the accident and health
43 or sickness line of authority.

44 (e) An individual holding a current and valid AAI, ARM,
45 CIC, CPCU designation is exempt for the property and casualty
46 lines of authority.

47 (f) Limited lines insurance producer and limited lines
48 credit insurance producer as defined in Section 83-17-53.

49 (g) An individual that is seeking licensure for the
50 variable life and variable annuity products line of authority
51 only.

52 (3) Every individual seeking renewal of an insurance
53 producer license, which has been in effect for a term of eighteen
54 (18) months or less shall satisfactorily complete twelve (12)
55 hours of study in approved continuing education courses. Every
56 individual seeking renewal of an insurance producer license, which
57 has been in effect for a term of more than eighteen (18) months
58 shall satisfactorily complete twenty-four (24) hours of study in
59 approved continuing education courses, of which three (3) hours
60 shall have a course concentration in ethics.

61 (4) The continuing educational requirements of this section
62 shall not apply to:

63 (a) Any individual that is exempt from taking the
64 written examination as provided in Section 83-17-39(1) (b), (c),
65 (e) and (g);

66 (b) Any limited lines producer or limited lines credit
67 insurance producer;

68 (c) A person not a resident of this state who meets the
69 continuing educational requirement in the state in which such
70 person resides and Mississippi has a reciprocal agreement with
71 that state; * * *

72 (d) Nonactive agents as defined in Section
73 83-17-1 * * *; or

74 (e) Any individual who is sixty-five (65) years of age
75 or older and who has been licensed as an insurance producer for a
76 continuous period of twenty-five (25) years or more as of July 1,
77 2023, as evidenced by submission of an affidavit, under oath, on a
78 form prescribed by the commissioner, signed by the licensee
79 attesting to satisfaction of the age, licensing and experience
80 requirements of this paragraph (e).

81 **SECTION 2.** Section 83-17-255, Mississippi Code of 1972, is
82 brought forward as follows:

83 83-17-255. (1) A prelicensing and continuing educational
84 advisory committee, comprised of at least three (3) but not more
85 than seven (7) individuals, may be appointed by and shall serve at
86 the pleasure of the Commissioner of Insurance to advise the

87 commissioner concerning prelicensing and continuing educational
88 standards. Each committee member shall agree to serve a minimum
89 of two (2) years. The chairman of the committee shall be
90 appointed by and shall serve at the pleasure of the commissioner.

91 (2) A majority of those present at any meeting of the
92 educational advisory committee shall be a quorum for purposes of
93 performing the duties of the committee under this section.

94 (3) The committee may advise the commissioner on program
95 content and exceptions as permitted under this section.

96 (4) The committee shall be available to consider other
97 related matters as the commissioner may assign.

98 **SECTION 3.** Section 83-17-259, Mississippi Code of 1972, is
99 brought forward as follows:

100 83-17-259. The Commissioner of Insurance, upon written
101 request, may grant exception to or extend the time in which a
102 licensee must comply with the continuing educational requirements
103 of this section for reasons of poor health, military service or
104 other reasonable and just causes.

105 **SECTION 4.** Section 83-17-415, Mississippi Code of 1972, is
106 brought forward as follows:

107 83-17-415. The commissioner shall adopt a procedure for
108 certifying continuing education programs. Each individual seeking
109 renewal of an adjuster license, which has been in effect for a
110 term of eighteen (18) months or less shall satisfactorily complete
111 twelve (12) hours of study in approved continuing education
112 courses. Every individual seeking renewal of an adjuster license,

113 which has been in effect for a term of more than eighteen (18)
114 months shall satisfactorily complete twenty-four (24) hours of
115 study in approved continuing education courses, of which three (3)
116 hours shall have a course concentration in ethics.

117 **SECTION 5.** Section 83-17-513, Mississippi Code of 1972, is
118 brought forward as follows:

119 83-17-513. The commissioner shall adopt a procedure for
120 certifying continuing education programs for public adjusters.
121 Every individual seeking renewal of a public adjuster license,
122 which has been in effect for a term of eighteen (18) months or
123 less shall satisfactorily complete twelve (12) hours of study in
124 approved continuing education courses. Every individual seeking
125 renewal of a public adjuster license, which has been in effect for
126 a term of more than eighteen (18) months shall satisfactorily
127 complete twenty-four (24) hours of study in approved continuing
128 education courses of which three (3) hours shall have a course
129 concentration in ethics.

130 **SECTION 6.** Section 73-35-18, Mississippi Code of 1972, is
131 amended as follows:

132 73-35-18. (1) Each individual applicant for renewal of a
133 license issued by the Mississippi Real Estate Commission shall, on
134 or before the expiration date of his license, or at a time
135 directed by the commission, submit proof of completion of not less
136 than sixteen (16) clock hours of approved course work to the
137 commission, in addition to any other requirements for renewal.
138 The sixteen (16) clock hours' course work requirement shall apply

139 to each two-year license renewal, and hours in excess thereof
140 shall not be cumulated or credited for the purposes of subsequent
141 license renewals except as provided in this subsection (1). The
142 commission shall develop standards for approval of courses and
143 shall require certification of such course work of the applicant.
144 The commission may determine any required subject matter within
145 the mandated sixteen (16) hours; provided that the required
146 subjects shall not exceed eight (8) hours of the total sixteen
147 (16) hours. Approved continuing education hours earned in the
148 final three (3) months of a licensee's renewal period, if in
149 excess of the required minimum sixteen (16) hours, may be carried
150 over and credited to the next renewal period. However, no more
151 than six (6) hours may be carried over in this manner. Any member
152 of the Mississippi Legislature who has a real estate license shall
153 be credited with eight (8) hours of credit for the attendance of
154 each year of a legislative session. No person may receive
155 continuing education credit for prelicense education courses
156 taken, except as follows: a licensee whose license is on inactive
157 status and whose continuing education credits are at least thirty
158 (30) hours in arrears may, at the discretion of the commission,
159 receive continuing education credit for retaking prelicense
160 coursework, provided the entire prelicense course is retaken.

161 (2) This section shall apply to renewals of licenses which
162 expire on and after July 1, 1994; however, an applicant for first
163 renewal who has been licensed for not more than one (1) year shall
164 not be required to comply with this section for the first renewal

165 of the applicant's license. The provisions of this section shall
166 not apply to persons who have held a broker's or salesperson's
167 license in this state for at least twenty-five (25) years and who
168 are * * * at least sixty-five (65) years of age. Inactive
169 licensees are not required to meet the real estate continuing
170 education requirements specified in this section; however, such
171 inactive licensees, before activating their license to active
172 status, must cumulatively meet requirements missed during the
173 period their license was inactive.

174 (3) A renewal of a license issued by the commission which
175 expires after June 30, 2019, must include a current email address
176 for the applicant. Any email address previously provided by an
177 applicant to the commission which is no longer valid or the
178 primary email address of the applicant must be updated when a
179 renewal application is submitted under this section.

180 (4) The commission shall promulgate rules and regulations as
181 necessary to accomplish the purposes of this section in accordance
182 with the Mississippi Administrative Procedures Law.

183 (5) [Repealed]

184 **SECTION 7.** This act shall take effect and be in force from
185 and after its passage.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY INDIVIDUAL WHO IS SIXTY FIVE YEARS OF AGE OR
3 OLDER AND WHO HAS BEEN LICENSED AS AN INSURANCE PRODUCER FOR A
4 CONTINUOUS PERIOD OF TWENTY-FIVE YEARS OR MORE AS OF JULY 1, 2023,

5 AS EVIDENCED BY SUBMISSION OF AN AFFIDAVIT, UNDER OATH, ON A FORM
6 PRESCRIBED BY THE COMMISSIONER, SIGNED BY THE LICENSEE ATTESTING
7 TO SATISFACTION OF THE AGE, LICENSING AND EXPERIENCE REQUIREMENTS
8 SHALL NOT BE REQUIRED TO COMPLETE THE CONTINUING EDUCATION
9 REQUIREMENTS OF AN INSURANCE PRODUCER; TO BRING FORWARD SECTIONS
10 83-17-255, 83-17-259, 83-17-415 AND 83-17-513, MISSISSIPPI CODE OF
11 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION
12 73-35-18, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE CONTINUING
13 EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSURE THOSE PERSONS WHO
14 HAVE HELD A REAL ESTATE BROKER'S OR SALESPERSON'S LICENSE IN THIS
15 STATE FOR AT LEAST TWENTY-FIVE YEARS AND WHO ARE AT LEAST
16 SIXTY-FIVE YEARS OF AGE; AND FOR RELATED PURPOSES.

SS36\HB1084A.J

Eugene S. Clarke
Secretary of the Senate