



HB0062

Insurance amendments.

Sponsored By: Joint Corporations, Elections & Political
Subdivisions Interim Committee

AN ACT relating to insurance; amending and creating definitions; amending fee schedules and creating new fees; amending licensure requirements for licenses issued by the department of insurance; amending continuing education requirements; repealing requirements related to licenses and continuing education; and providing for effective dates.

2/3/2022 Bill Number Assigned
2/11/2022 H Received for Introduction
2/14/2022 H Introduced and Referred to H07 - Corporations 48-11-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Heiner, Henderson, Kinner, Larsen, L, Laursen, D, Lebeau, Macguire, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Wharff, Williams, Wilson, Yin, Zwonitzer

Nays: Representative(s) Bear, Fortner, Gray, Hallinan, Haroldson, Jennings, Knapp, Neiman, Ottman, Styvar, Winter

Excused: Representative Harshman

Ayes 48 **Nays** 11 **Excused** 1 **Absent** 0 **Conflicts** 0

2/17/2022 H07 - Corporations:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Burt, Clausen, Duncan, Eyre, Lebeau, Macguire, Roscoe, Zwonitzer

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2022 H Placed on General File

HB0062HS001/ADOPTED

Page 2-line 4 After "purpose of" insert "either"; after "investigating" delete "and" and strike "making adjustment".

Page 2-line 5 Strike line through "policy" and insert "and negotiating settlements relative to insurance claims or applying the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts,".

Page 2-line 11 After "Wyoming" insert "either"; after "investigates" delete "and" and strike "adjusts a".

Page 2-line 12 Strike line through "state" and insert "and negotiates settlements relative to insurance claims or applies the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts,".

Page 2-line 17 After "W.S." insert "26-1-102(a)(i),".

Page 2-line 19 Delete "(xxiv)" and insert "(xxvii)".

Page 2-after line 21 Insert:

"26-1-102. Definitions.

(a) As used in this act:

(i) "Adjuster" means any individual who, ~~for compensation as an independent contractor, or as the employee of an independent contractor, or as a salaried employee of an insurer, or for fee or commission, on behalf of the insurer investigates and negotiates settlement of claims arising under insurance contracts, except that~~ either investigates and negotiates settlements relative to insurance claims or applies the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts. An attorney-at-law who is licensed to practice law in this state, or a licensed agent or broker who adjusts or assists in adjustment of losses arising under policies issued through that broker or by the insurer represented by that agent, is not an adjuster for the purposes of chapter 9 of this code;".

Page 7-after line 10 Insert:

"(xxv) "Adjuster" means any individual who either investigates and negotiates settlements relative to insurance claims or applies the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts. An attorney-at-law who is licensed to practice law in this state or a licensed agent or broker who adjusts or assists in adjustment of losses arising under policies issued through that broker or by the insurer represented by that agent, is not an adjuster for the purposes of this chapter. An appraiser or umpire is not an adjuster for the purposes of this chapter.

(xxvi) "Appraiser" means a person selected by the insurer or the insured to place a value on or estimate the amount of loss pursuant to an insurance claim. An appraiser does not negotiate settlements relative to insurance claims or apply the factual circumstances of an insurance claim to the insurance policy provisions.

(xxvii) "Umpire" means a person selected by the appraisers representing the insurer and the insured or, if the appraisers cannot agree, by the court or hearing officer charged with resolving issues that the appraisers are unable to agree upon during the appraisal.". ZWONITZER, CHAIRMAN

HB0062HW001/ADOPTED

Page 1-line 11 After "W.S." insert "26-1-102(a)(i), 26-9-202 by creating new paragraphs (xxv) through (xxvii) and"; after "26-9-219(c)" delete "is" and insert "are".

Page 1-after line 11 Insert:

"26-1-102. Definitions.

(a) As used in this act:

(i) "Adjuster" means any individual who, ~~for compensation as an independent contractor, or as the employee of an independent contractor, or as a salaried employee of an insurer, or for fee or commission, on behalf of the insurer investigates and negotiates settlement of claims arising under insurance contracts, except that~~ either investigates and negotiates settlements relative to insurance claims or applies the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts. An attorney-at-law who is licensed to practice law in this state, or a licensed agent or broker who adjusts or assists in adjustment of losses arising under policies issued through that broker or by the insurer represented by that agent, is not an adjuster for the purposes of chapter 9 of this code;

26-9-202. Definitions.

(a) As used in this chapter:

(xxv) "Adjuster" means any individual who either investigates and negotiates settlements relative to insurance claims or applies the factual circumstances of an insurance claim to the insurance policy provisions, or both, arising under property and casualty insurance contracts. An attorney-at-law who is licensed to practice law in this state or a licensed agent or broker who adjusts or assists in adjustment of losses arising under policies issued through that broker or by the insurer represented by that agent, is not an adjuster for the purposes of this chapter. An appraiser or umpire is not an adjuster for the purposes of this chapter.

(xxvi) "Appraiser" means a person selected by the insurer or the insured to place a value on or estimate the amount of loss pursuant to an insurance claim. An appraiser does not negotiate settlements relative to insurance claims or apply the factual circumstances of an insurance claim to the insurance policy provisions.

(xxvii) "Umpire" means a person selected by the appraisers representing the insurer and the insured or, if the appraisers cannot agree, by the court or hearing officer charged with resolving issues that the appraisers are unable to agree upon during the appraisal."

Page 2-line 17 Delete the House standing committee amendment (HB0062H4301/A) to this line.

Page 2-line 19 Delete the House standing committee amendment (HB0062H4301/A) to this line.

Page 2-after line 21 Delete the House standing committee amendment (HB0062H4301/A) to this line.

Page 7-after line 10 Delete the House standing committee amendment (HB0062H4301/A) to this line. ZWONITZER

2/24/2022 H COW:Passed
2/25/2022 H 2nd Reading:Passed
2/28/2022 H 3rd Reading:Passed 47-12-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Harshman, Henderson, Kinner, Larsen, L, Laursen, D, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Provenza, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Williams, Wilson, Yin, Zwonitzer

Nays: Representative(s) Bear, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Knapp, Rodrig-Williams, Styvar, Wharff, Winter

Excused: Representative Blackburn

Ayes 47 **Nays** 12 **Excused** 1 **Absent** 0 **Conflicts** 0

3/1/2022 S Received for Introduction
3/1/2022 S Introduced and Referred to S07 - Corporations
3/3/2022 S07 - Corporations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Case, Driskill, Nethercott, Scott

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/3/2022 S Placed on General File
3/3/2022 S COW:Passed
3/4/2022 S 2nd Reading:Passed
3/7/2022 S 3rd Reading:Passed 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Excused: Senator Perkins

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

3/7/2022 Assigned Number HEA No. 0030
3/7/2022 H Speaker Signed HEA No. 0030
3/7/2022 S President Signed HEA No. 0030
3/9/2022 Governor Signed HEA No. 0030
3/9/2022 Assigned Chapter Number 46

Chapter No. 46 Session Laws of Wyoming 2022