

§ 26-4-101. Fee schedule.

(a) The commissioner shall collect in advance or contemporaneously fees, licenses and miscellaneous charges as specified in this subsection. Collection may include the acceptance of electronic funds transfer. All fees and other charges collected by the commissioner as specified in this subsection shall be nonrefundable:

(i) Certificate of authority:

(A) For filing application for insurer's initial certificate of authority, excluding multiple employer welfare arrangements, including all documents submitted as a part of the application, examination of application and issuance of certificate of authority, if issued \$750.00

(B) Annual continuation, excluding multiple employer welfare arrangements, including filing of annual statement \$500.00

(C) Reinstatement (W.S. 26-3-114(c)) \$ 50.00

(D) Certified copy \$ 15.00

(E) Registration of additional title (W.S. 26-3-120) \$ 25.00

Annual renewal \$ 25.00

(ii) Charter documents (other than those filed with application for certificate of authority). Filing amendments to articles of incorporation, charter, bylaws, power of attorney (as to reciprocal insurers) and other constituent documents of the insurer, each document \$ 10.00

(iii) Annual statement. For filing annual statement other than included with (a)(i)(A) or (B) of this subsection \$ 25.00

(iv) Service of process, acceptance \$ 10.00

(v) Insurance producers or title agents:

(A) Property, casualty, personal lines or title:

(I) Application for original resident license and issuance of license, if issued \$100.00

(II) Appointment, each producer or agent, each insurer \$ 15.00

(III) Annual continuation of appointment, each insurer \$ 15.00

(IV) Temporary license, application fee, and issuance, if issued \$ 10.00

(V) License under waiver of residency requirement pursuant to a reciprocal agreement, application fee and issuance \$ 150.00

(VI) Continuation of license:

Resident \$100.00

Nonresident \$150.00

(VII) Statement of termination of appointment, each insurer \$ 15.00

(B) Life, accident and health or sickness or disability, variable life and variable annuities or credit:

(I) Application for original resident license and issuance of license, if issued \$100.00

(II) Appointment, each producer or agent, each insurer \$ 15.00

(III) Annual continuation of appointment, each insurer \$ 15.00

(IV) Temporary license, application fee, and issuance, if issued \$ 10.00

(V) License under waiver of residency requirement pursuant to a reciprocal agreement, application fee and issuance \$ 150.00

(VI) Continuation of license:

Resident \$100.00
Nonresident \$150.00

(VII) Statement of termination of appointment, each insurer \$ 15.00

(vi) Repealed by Laws 2004, ch. 7, § 2.

(vii) Repealed by Laws 2001, ch. 201, § 5.

(viii) Surplus line brokers:

Application for original resident license, and issuance of license, if issued \$100.00
License under waiver of residency requirement pursuant to a reciprocal agreement, application fee and issuance \$ 150.00

Continuation of license:

Resident \$100.00
Nonresident \$150.00

(ix) Adjusters:

Application for original resident license, and issuance of license, if issued \$100.00
License under waiver of residency requirement pursuant to a reciprocal agreement, application fee and issuance \$ 150.00

Continuation of license:

Resident \$100.00
Nonresident \$150.00

(x) Repealed by Laws 2004, ch. 7, § 2.

(xi) Repealed by Laws 2011, ch. 60, § 3.

(xii) Insurance consultant for hire:

Application for original resident license, and issuance of license, if issued \$100.00
License under waiver of residency requirement pursuant to a reciprocal agreement, application fee and issuance \$ 150.00

Continuation of license:

Resident \$100.00
Nonresident \$150.00

(xiii) Repealed by Laws 1993, ch. 97, § 2.

(xiv) Limited lines producers:

Application for original individual license and issuance of license, if issued \$20.00

Continuation of individual license \$20.00

Application for original business entity license and issuance of license, if issued \$100.00

Continuation of business entity license \$100.00

(xv) Rating organization license or triennial renewal thereof, including all kinds of insurance as to which licensed \$150.00

(xvi) Certification of any document and affixing seal of office thereto \$15.00

(xvii) Copies of documents on file in the department, a reasonable uniform charge per page as fixed by the commissioner;

(xviii) Pharmacy benefit manager (annually)\$500.00

(xix) Third party administrator (biennial)\$200.00

(xx) Multiple employer welfare arrangement, annual license or renewal \$500.00.

(xxi) Continuing education:

Application for approval of continuing education provider \$100.00

Continuation of continuing education provider approval \$100.00

Application for course approval \$50.00

Continuation of course approval \$50.00

(b) Repealed by Laws 1993, ch. 97, § 2.

§ 26-9-201. Purpose and scope.

This chapter governs the qualifications and procedures for the licensing of insurance producers. This chapter does not apply to excess and surplus lines brokers licensed pursuant to W.S. 26-11-112 except as provided in W.S. 26-9-207(b), 26-9-207(c), [26-9-207\(d\)](#), [26-9-207\(f\)](#), 26-9-207(g), 26-9-208, [26-9-216](#) and 26-9-230 or as expressly provided in chapter 11 of this code.

§ 26-9-202. Definitions.

(a) As used in this chapter:

-
- (i) "Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity;
- (ii) "Endorsee" means an employee or representative of a specialty limited lines producer;
- (iii) "Home state" means the District of Columbia and any state or territory of the United States in which an insurance producer maintains his principal place of residence or principal place of business and is licensed to act as an insurance producer;
- (iv) "License" means a document issued by the commissioner authorizing a person to act as an insurance producer for the lines of authority specified in the document. The license itself does not create any authority, actual, apparent or inherent, in the holder to represent or commit an insurer;
- (v) "Limited line credit insurance" includes credit life, credit disability, credit property, credit unemployment, involuntary unemployment, mortgage life, mortgage guaranty, mortgage disability, guaranteed automobile protection insurance, and any other form of insurance offered in connection with an extension of credit that is limited to partially or wholly extinguishing that credit obligation that the commissioner determines should be designated a form of limited line credit insurance;
- (vi) "Limited line credit insurance producer" means a person who sells, solicits or negotiates one (1) or more forms of limited line credit insurance coverage to individuals through a master, corporate, group or individual policy;
- (vii) "Limited lines insurance" means those lines of insurance referred to in paragraph (xxi) of this subsection and W.S. 26-9-234, 26-32-101, 26-37-102(a)(iv) or any other line of insurance the commissioner deems necessary to recognize for the purposes of complying with W.S. 26-9-208(e);
- (viii) "Limited lines producer" means a person authorized by the commissioner to sell, solicit or negotiate limited lines insurance;
- (ix) "Location" means any physical location in the state of Wyoming or any website, call center site or similar location directed to residents of the state of Wyoming;
- (x) "Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms or conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers;
- (xi) "Portable electronic device insurance" means insurance which may be offered on a month to month or other periodic basis as a group or master property and casualty insurance policy providing coverage for the repair or replacement of portable electronic devices which may provide coverage for portable electronic devices against any one (1) or more of the following causes of loss: loss, theft, inoperability due to mechanical failure, malfunction, damage or other similar causes of loss. For purposes of this title, with respect to portable electronic device insurance, property and casualty insurance shall be deemed to include inland marine insurance. Portable electronic device insurance does not include a service contract as defined in chapter 49 of this title;
- (xii) "Rental car insurance" means insurance offered, sold or solicited in connection with and incidental to the rental of rental cars, whether at the rental office or by preselection of coverage in master, corporate, group or individual agreements that is nontransferable, applies only to the rental car that is the subject of the rental agreement and is limited to the following kinds of insurance and shall not include the rental car company's agreement to waive its right of indemnity against a renter for damages to the rental vehicle:
-

- (A) Personal accident insurance for renters and other rental car occupants, for accidental death or dismemberment and for medical expenses resulting from an accident that occurs with the rental car during the rental period;
- (B) Liability insurance, which at the exclusive option of the rental car company, may include uninsured or underinsured motorist coverage, whether offered separately or in combination with other liability insurance, that provides protection to the renters and to other authorized drivers of a rental car for liability arising from the operation of the rental car during the rental period;
- (C) Personal effects insurance that provides coverage to renters and other vehicle occupants for loss of or damage to, personal effects in the rental car during the rental period;
- (D) Roadside assistance and emergency sickness protection insurance; or
- (E) Any other insurance product sold incidental to the rental transaction.

-
- (xiii) "Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurer;
 - (xiv) "Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular insurer;
 - (xv) "Specialty limited lines insurance" means insurance offered or disseminated in connection with and ancillary to a specialty limited lines producer's core business. The term includes the following types of insurance: rental car insurance, portable electronic device insurance, travel insurance and any other line of insurance the commissioner deems necessary;
 - (xvi) "Specialty limited lines producer" means a person or business entity licensed as a limited lines producer and qualified to offer, sell or solicit specialty limited lines insurance;
 - (xvii) "Terminate" means the cancellation of the relationship between an insurance producer and the insurer or the termination of a producer's authority to transact insurance;
 - (xviii) "Travel insurance" means insurance coverage for personal risks incident to planned travel, including but not limited to interruption or cancellation of trip or event, loss of baggage or personal effects, damages to accommodations or rental vehicles, and sickness, accident, disability or death occurring during travel, and does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six (6) months or longer;
 - (xix) "Uniform application" means the current version of the National Association of Insurance Commissioners' uniform application for resident and nonresident producer licensing;
 - (xx) "Uniform business entity application" means the current version of the National Association of Insurance Commissioners' uniform business entity application for resident and nonresident business entities;
 - (xxi) "Crop insurance" means insurance providing protection against damage to crops from unfavorable weather conditions, fire, lightning, flood, hail, insect infestation, disease or other yield-reducing conditions or perils provided by the private insurance market or that is provided by the federal crop insurance corporation, including multi-peril crop and protection of revenue from adverse market fluctuation insurance.
 - (xxii) "Continuing Education Provider" means any person approved by the commissioner to offer continuing education courses to persons licensed in this state.
 - (xxiii) "Public Adjuster" means any person who, for compensation or any other thing of value, acts on behalf of an insured by doing any of the following:

(A) Acting for or aiding an insured in negotiating for or in effecting the settlement of a first-party claim for loss or damage to real or personal property of the insured

(B) Advertising for employment as a public adjuster of first-party claims or otherwise soliciting business or representing to the public that the person is a public adjuster of first-party claims for loss or damage to real or personal property of an insured

(C) Directly or indirectly soliciting the business of investigating or adjusting losses, or of advising an insured about first-party claims for loss or damage to real or personal property of the insured.

(xxiv) "Licensee" means any person granted a license under this chapter

§ 26-9-207. License.

(a) Unless denied licensure pursuant to W.S. 26-9-211, persons who have met the requirements of W.S. 26-9-205 and 26-9-206 shall be issued an insurance producer license. An insurance producer may receive qualification for a license in one (1) or more of the following lines of authority:

-
- (i) Life — insurance coverage on human lives including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income;
 - (ii) Accident and health or sickness or disability — insurance coverage for sickness, bodily injury or accidental death and may include benefits for disability income;
 - (iii) Property — insurance coverage for the direct or consequential loss or damage to property of every kind;
 - (iv) Casualty — insurance coverage against legal liability, including that for death, injury or disability or damage to real or personal property;
 - (v) Variable life and variable annuity products — insurance coverage provided under variable life insurance contracts and variable annuities;
 - (vi) Personal lines — property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes;
 - (vii) Credit — limited line credit insurance;
 - (viii) Any other line of insurance permitted under state laws or regulations.

(b) ~~An individual insurance producer, adjuster, licensee's or surplus lines broker~~ license shall remain in effect unless revoked or suspended if on or before the last day of the month of the licensee's birthday in the second year following the issuance or renewal of the license the continuation fee set forth in W.S. 26-4-101(a) is paid, the continuing education requirements are met by the due date, a written request for continuation of the license is made to the commissioner on forms prescribed by the commissioner and the licensee remains in compliance with all other applicable provisions of this code. An insurance producer or surplus lines broker license issued to a business entity shall remain in effect unless revoked or suspended if on or before the last day of the month in which the license was effective in the second year following the issuance or renewal of the license the continuation fee set forth in W.S. 26-4-101(a) is paid, a written request for continuation of the license is made to the commissioner on forms prescribed by the commissioner and the licensee remains in compliance with all other applicable provisions of this code.

(c) ~~An individual insurance producer, adjuster, licensee or surplus lines broker~~ who allows his license to lapse may, within twelve (12) months from the due date of the continuation fee, reinstate the same license without the necessity of passing a written examination. However, a penalty equal to the amount of the continuation fee shall be required in addition to the continuation fee for any continuation request received after the due date. A business entity insurance producer or surplus lines broker that allows its license to lapse may, within twelve (12) months from the due date of the continuation fee, reinstate the same license, however, a penalty equal to the amount of the continuation fee shall be required in addition to the continuation fee for any continuation request received after the due date.

(d) A ~~licensed insurance producer, licensee~~ who is unable to comply with license renewal procedures due to military service or some other extenuating circumstance such as a long-term medical disability may request a waiver of those procedures. The producer may also request a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

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

(f) Licensees shall inform the commissioner by any means acceptable to the commissioner of a change of name, address, telephone number, e-mail address or other contact information as defined by rule and regulation of the commissioner within thirty (30) days of the change.

(g) The commissioner may contract with nongovernmental entities, including the National Association of Insurance Commissioners or any affiliates or subsidiaries that association oversees, to perform any ministerial functions, including the collection of fees, related to licensing that the commissioner and the nongovernmental entity may deem appropriate.

(h) and (j) Repealed by Laws 2011, ch. 60, § 3.

§ 26-9-216. Reporting of actions.

(a) A ~~resident or nonresident insurance producer~~ **licensee** shall report to the commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within thirty (30) days of the final disposition of the matter. This report shall include a copy of the order, consent to order or other relevant legal documents.

(b) Within thirty (30) days of the initial pretrial hearing date, a ~~resident or nonresident insurance producer~~ **licensee** shall report to the commissioner any criminal prosecution of the producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents.

§ 26-9-228. Place of business of licensees; ~~display of licenses;~~ records.

(a) Each resident insurance producer shall have and maintain in this state a place of business accessible to the public and in which the licensee principally conducts transactions under his license. The address of the place shall appear upon the license, and the licensee shall promptly notify the commissioner in writing of any change thereof as provided by W.S. 26-9-207(f). Nothing in this section prohibits maintenance of a place of business in the licensee's residence in this state.

~~**(b)** The licenses of an insurance producer under this chapter shall be conspicuously displayed in the place of business in a part thereof customarily open to the public.~~

(c) The insurance producer shall keep at his place of business a complete record of transactions under his license. The record shall show, as to each insurance policy or contract placed by or through the licensee, the names of the insurer and insured, the number, expiration date of, premium payable as to the policy or contract and any other information the commissioner reasonably requires. The insurance producer shall keep the record available for inspection for a period of at least three (3) years after completion of the transactions.

(d) The requirements of subsection (c) of this section are satisfied if the records specified in this section may be obtained immediately from a central storage place, or elsewhere by on line computer terminals located at the licensee's place of business.

§ 26-9-231. Continuing education.

(a) Resident insurance producers, title agents licensed pursuant to W.S. 26-23-318, adjusters, nonresident adjusters not exempted under subsection (f) of this section, and other resident persons required to be licensed under this chapter shall complete twenty-four (24) classroom hours of continuing education within each two (2) year licensing period. Of the twenty-four (24) hours at least three (3) shall relate to ethical requirements. The requirements of this section do not apply to nonresident insurance producers, those persons who hold licenses for any kinds of insurance for which an examination is not required, nor shall they apply to any such limited or restricted licenses as the commissioner may exempt.

(b) Any person teaching any approved continuing education course or lecturing at any approved seminar shall qualify for the same number of classroom hours granted to the person taking the course or seminar.

(c) The commissioner may promulgate rules and regulations necessary to carry out the purposes of this section.

(d) Repealed by Laws 2004, ch. 7, § 2.

(e) For good cause shown, the commissioner may grant an extension of up to one (1) year to complete the required continuing education.

(f) Every person subject to this section shall furnish, in a form satisfactory to the commissioner, written certification as to the courses, programs or seminars of instruction taken by that person. The certification shall be executed by or on behalf of the sponsoring organization within a fifteen (15) day period following the course, program or seminar. A nonresident adjuster having met the continuing education requirements in his home state is exempt from the provisions of this section. A nonresident adjuster not licensed in his home state is subject to the requirements of this section.

~~**(g)** The commissioner is authorized to assess every person subject to this section a fee of thirty dollars (\$30.00) in addition to the license fee and payable at the time of license renewal, for the support of continuing education. The fee for support of continuing education shall be deposited in the general fund.~~

(h) Any person failing to submit proof required by rule of the commissioner of having met the requirements of this section and who has not been granted an extension of time within which to comply shall not have his license renewed until the person demonstrates to the satisfaction of the commissioner that he has complied with all requirements of this section.

(i) No person shall act as a continuing education provider in this state unless that person has been granted approval by the commissioner.

(i) A person applying for approval as a continuing education provider shall make application to the Department on forms prescribed by the commissioner and pay the fees set forth in W.S. 26-4-101(a)

(ii) A continuing education provider's approval shall remain in effect unless revoked or suspended if on or before the last day of the month in which the application is approved in the second year following approval and every 2 years thereafter the continuation fee set forth in W.S. 26-4-101(a) is paid.

(iii) Once granted approval, a continuing education provider may submit courses for approval by using forms prescribed by the commissioner and paying the fees set forth in W.S. 26-4-101(a). Courses shall be approved for a period of 2 years, after which they may be continued by paying the fees set forth in W.S. 26-4-101(a).

(j) The commissioner may make arrangements, including contracting with an outside service, for the handling of continuing education providers and courses. If an outside service is employed, all continuing education provider applications, course approval requests, and fees shall be remitted to the service provider.