

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Insurance amendments.

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

A BILL

for

1 AN ACT relating to the insurance code; amending the  
2 definition of insurance transaction; making requirements  
3 applicable to original certificates of authority apply to  
4 all certificates of authority; requiring insurers to update  
5 their contact information as specified; amending service of  
6 process requirements; clarifying requirements regarding  
7 reporting of actions; clarifying the applicability of  
8 statutes governing property and casualty insurance;  
9 repealing the requirement for insurers to deliver  
10 certificates of authority to the insurance commissioner  
11 upon expiration, suspension or termination of the  
12 certificates; repealing disclosure requirements regarding

1 the extent to which disability, group disability and  
2 blanket disability insurance policies include comprehensive  
3 adult wellness benefits; and providing for an effective  
4 date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 26-1-102(a)(xxxix), 26-3-106(b), 26-  
9 3-108(a)(intro), 26-3-112(a)(intro), 26-3-114(d) and by  
10 creating a new subsection (e), 26-3-122(c), 26-9-216(a) and  
11 (b), 26-24-109(b)(intro), 26-24-110(a)(intro), 26-24-113,  
12 26-29-210(e) and 26-35-201 are amended to read:

13

14 \*\*\*\*\*  
15 \*\*\*\*\*  
16 **STAFF COMMENT**

17  
18 **For ease of reference, W.S. 26-1-102(a)(xxx) and (xxxviii)**  
19 **are included in this draft. These paragraphs will be**  
20 **deleted from any final draft if they are not amended.**

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23 \*\*\*\*\*

24

25 **26-1-102. Definitions.**

26

27 (a) As used in this act:

28

1           (xxx) "Transact" with respect to a business of  
2 insurance means:

3

4                   (A) Solicitation or inducement;

5

6                   (B) Negotiations;

7

8                   (C) Carrying out of a contract of  
9 insurance;

10

11                   (D) Transaction of matters subsequent to  
12 the carrying out and arising out of a contract of  
13 insurance; or

14

15                   (E) Any other aspects of insurance  
16 operations to which this code applies.

17

18           (xxxviii) "Insurance support organization"  
19 means:

20

21                   (A) Any person who regularly engages, in  
22 whole or in part, in the practice of assembling or  
23 collecting information about natural persons for the

1 primary purpose of providing the information to an  
2 insurance institution or insurance producer for insurance  
3 transactions, including the furnishing of consumer reports  
4 or investigative consumer reports to an insurer or  
5 insurance producer for use in connection with an insurance  
6 transaction or the collection of personal information from  
7 insurers, insurance producers or other insurance support  
8 organizations for the purpose of detecting or preventing  
9 fraud, material misrepresentation or material nondisclosure  
10 in connection with insurance underwriting or insurance  
11 claim activity;

12

13 (B) Notwithstanding subparagraph (A) of  
14 this paragraph the following persons are not considered  
15 insurance support organizations for purposes of this code:

16

17 (I) Insurance producers;

18

19 (II) Government institutions;

20

21 (III) Insurers;

22

23 (IV) Medical care institutions;

1

2

(V) Medical professionals.

3

4

(xxxix) "Insurance transaction" means:

5

6

(A) For the purposes of paragraph (xxxviii) of this subsection, ~~means~~ any transaction involving insurance primarily for personal, family or household needs rather than business or professional needs and which entails the determination of an individual's eligibility for an insurance coverage, benefit or payment or the servicing of an insurance application, policy, contract or certificate;

14

15

16

17

18

(B) For all other purposes except as provided in subparagraph (A) of this paragraph, any transaction involving insurance, including any act specified in paragraph (xxx) of this subsection.

19

20

**26-3-106. Conflict of names prohibited.**

21

22

23

(b) In case of conflict of names between two (2) insurers, or a conflict otherwise prohibited under this

1 section, the commissioner may permit, or shall require as a  
2 condition to the issuance of ~~an original~~a certificate of  
3 authority to an applicant insurer, the insurer to use in  
4 this state a modified name as may reasonably be necessary  
5 to avoid the conflict.

6

7 **26-3-108. Capital and surplus requirements.**

8

9 (a) To qualify for authority to transact any kind of  
10 insurance as defined in chapter 5 or combination of kinds  
11 of insurance as specified in this subsection, a foreign  
12 insurer, or a domestic stock insurer applying for its  
13 ~~original~~ certificate of authority, shall possess and  
14 thereafter maintain unimpaired basic paid-in capital stock  
15 and surplus, if a stock insurer, or unimpaired basic  
16 surplus, if a foreign mutual insurer or foreign reciprocal  
17 insurer, in an amount not less than as follows:

18

19 **26-3-112. Certificate of authority; application;**  
20 **contents of application.**

21

22 (a) An insurer shall apply to the commissioner for ~~an~~  
23 ~~original~~a certificate of authority, stating under oath of

1 the president, or vice-president or other chief officer and  
2 the secretary of the insurer, or of the attorney-in-fact if  
3 the insurer is a reciprocal insurer, the insurer's name,  
4 location of its home office, or principal office in the  
5 United States if an alien insurer, the kinds of insurance  
6 to be transacted, date of organization or incorporation,  
7 form of organization, state or country of domicile and any  
8 additional information the commissioner reasonably  
9 requires. The application shall be accompanied by the  
10 applicable fees as provided in W.S. 26-4-101 together with  
11 the following documents, as applicable:

12

13 **26-3-114. Certificate of authority; continuation;**  
14 **expiration; reinstatement.**

15

16 (d) If an insurer fails to renew its certificate of  
17 authority within the time specified in subsection (c) of  
18 this section, another certificate shall be issued only  
19 after all requirements for ~~an original~~a certificate of  
20 authority in this state are fulfilled.

21

22 (e) All insurers or persons otherwise licensed or  
23 registered under this article shall inform the commissioner

1 by any means acceptable to the commissioner, or as  
2 specified by rule and regulation of the commissioner, of  
3 any change of address, telephone number, email address or  
4 other contact information that is on file with the  
5 department within thirty (30) days of the change.

6

7 \*\*\*\*\*  
8 \*\*\*\*\*

9 **STAFF COMMENT**

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11 **Subsection (e) has been revised to reference all insurers**  
12 **or persons otherwise licensed or registered "under this**  
13 **article."**

14

15 \*\*\*\*\*  
16 \*\*\*\*\*

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18 **26-3-122. Service of process; service generally.**

19

20 (c) Upon service the commissioner shall immediately  
21 mail by ~~registered~~certified mail one (1) of the copies of  
22 the process to the person currently designated by the  
23 insurer to receive the process as provided in W.S. 26-3-  
24 121(d).

25

26 **26-9-216. Reporting of actions.**

27



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

8  
9           (b) Within thirty (30) days of the initial pretrial  
10 hearing date, a licensee shall report to the commissioner  
11 any criminal prosecution of the ~~producer~~licensee taken in  
12 any jurisdiction. The report shall include a copy of the  
13 initial complaint filed, the order resulting from the  
14 hearing and any other relevant legal documents.

15  
16           **26-24-109. Initial requirements of domestic mutual**  
17 **insurers; authorized transactions.**

18  
19           (b) When applying for ~~an original~~a certificate of  
20 authority, the insurer shall:

21  
22           **26-24-110. Bond or deposit required of domestic**  
23 **mutual insurers.**

1

2 (a) Before soliciting any applications for insurance  
3 required under W.S. 26-24-109 as qualifications for the  
4 ~~original~~ certificate of authority, the incorporators of the  
5 proposed insurer shall file with the commissioner a  
6 corporate surety bond in the penalty of fifteen thousand  
7 dollars (\$15,000.00), in favor of the state and for the use  
8 and benefit of the state of the applicant members and  
9 creditors of the corporation. The bond shall be conditioned  
10 for:

11

12 **26-24-113. Failure of domestic mutual insurer to**  
13 **qualify.**

14

15 If the proposed domestic insurer fails to complete its  
16 organization and to secure its ~~original~~ certificate of  
17 authority within one (1) year from the date of its  
18 certificate of incorporation, its corporate powers cease,  
19 and the commissioner shall return or cause to be returned  
20 to the persons entitled thereto all advance deposits or  
21 payments of premiums held in trust under W.S. 26-24-112.

22

23 **26-29-210. Organization.**

1

2 (e) The commissioner may make an examination and  
3 require further information as he deems advisable. Upon  
4 presentation of satisfactory evidence that the society has  
5 complied with all the provisions of law, the commissioner  
6 shall issue to the society a certificate of authority to  
7 that effect and that the society is authorized to transact  
8 business pursuant to the provisions of this chapter. The  
9 certificate of authority shall be prima facie evidence of  
10 the existence of the society at the date of the  
11 certificate. The commissioner shall cause a record of the  
12 certificate of authority to be made. ~~A certified copy of  
13 the record may be given in evidence with like effect as the  
14 original certificate of authority.~~

15

16 **26-35-201. Scope of article.**

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18 This article applies to all property and casualty insurance  
19 as defined in W.S. 26-5-104 and 26-5-106, except this  
20 article does not apply to binders and other temporary  
21 contracts for temporary insurance ~~provided for under W.S.  
22 26-15-119 or personal lines auto policies.~~

23



1 criteria specified under subsection (b) of this  
 2 section. If coverage is included, the notice  
 3 shall make reference to the exact location within  
 4 the policy where the level and extent of coverage  
 5 is described in detail. If coverage is not  
 6 included, the notice shall state that the policy  
 7 does not contain comprehensive adult wellness  
 8 benefits as defined by law. This statement shall  
 9 also be placed in a prominent location on any  
 10 materials used in representing the policy,  
 11 including sales materials. The department of  
 12 insurance shall prescribe the form and content of  
 13 the notice required under this paragraph. This  
 14 paragraph does not apply to any policy with a  
 15 deductible of five thousand dollars (\$5,000.00)  
 16 or more.

17  
 18 (b) As used in paragraph (a)(ix) of this  
 19 section, "comprehensive adult wellness benefits"  
 20 means benefits not subject to policy deductibles,  
 21 which provide a minimum benefit equal to eighty  
 22 percent (80%) of the reimbursement allowance  
 23 under the private health benefit plan with a  
 24 maximum of twenty percent (20%) coinsurance by  
 25 the insured and which provide a benefit structure  
 26 to the insured equal to a minimum of one hundred  
 27 fifty dollars (\$150.00) per insured adult per  
 28 calendar year, or a benefit structure of similar  
 29 actuarial value to the insured. In addition, the  
 30 benefits shall at minimum provide for testing  
 31 procedures and for the examination of adult  
 32 policyholders and their spouses for breast  
 33 cancer, prostate cancer, cervical cancer and  
 34 diabetes.

35  
 36 W.S. 26-19-107(a)(xvii) contains similar disclosure  
 37 requirements regarding "comprehensive adult wellness  
 38 benefits" in group disability or blanket disability  
 39 insurance policies. Subsection (h) contains a similar  
 40 definition of "comprehensive adult wellness benefits" for  
 41 purposes of paragraph (a)(xvii).

42  
 43 \*\*\*\*\*  
 44 \*\*\*\*\*  
 45

1       **Section 3.** This act is effective July 1, 2025.

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(END)