



ACT #2023 - 104

- 1 MTS2W1-2
- 2 By Representative Ellis
- 3 RFD: Insurance
- 4 First Read: 07-Mar-23
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- 6 2023 Regular Session





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1 Enrolled, An Act,

2

3 Relating to the Alabama Department of Insurance; to

4 amend Sections 27-7-5, 27-7-14.1, 27-9A-6, 27-9A-8, 27-9A-9,

5 27-9A-11, 27-25-4.1, and 27-25-4.3, Code of Alabama 1975, to

6 delete the requirement for insurance producers, independent

7 adjusters, apprentice independent adjusters, and title

8 insurance agents to complete a prelicensing course of study

9 approved by the Commissioner of Insurance prior to licensure

10 by the department; and to eliminate the issuance of new

11 service representative licenses prospectively and to authorize

12 a current licensee to renew his or her license.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Sections 27-7-5, 27-7-14.1, 27-9A-6,

15 27-9A-8, 27-9A-9, 27-9A-11, 27-25-4.1, and 27-25-4.3, Code of

16 Alabama 1975, are amended to read as follows:

17 "§27-7-5

18 (a) An individual applying for a resident insurance

19 producer license shall make application to the commissioner on

20 the Uniform Application, ~~and an individual applying for a~~

21 ~~service representative license shall make application to the~~

22 ~~commissioner on the application prescribed by the~~

23 ~~commissioner, each~~ declaring under penalty of refusal,

24 suspension, or revocation of the license that the statements

25 made in the application are true, correct, and complete to the

26 best of the individual's knowledge and belief. Before

27 approving the application, the commissioner shall find that

28 the individual has satisfied all of the following:



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29 (1) The individual is at least 18 years of age.

30 (2) The individual has not committed any act that is a
31 ground for denial, suspension, or revocation set forth in
32 Section 27-7-19.

33 ~~(3) The individual has completed a prelicensing course~~
34 ~~of study for the lines of authority for which the person has~~
35 ~~applied, consisting of 20 classroom hours per line of~~
36 ~~authority, or equivalent individual instruction, on the~~
37 ~~general principles of insurance for that line of authority,~~
38 ~~the course to be taught only by those educational~~
39 ~~institutions, junior or senior colleges, technical colleges,~~
40 ~~trade schools, insurance companies, or insurance trade~~
41 ~~organizations which hold written authority from the~~
42 ~~commissioner to issue certificates of completion.~~

43 ~~a. Each authority holder must apply annually for the~~
44 ~~continued authority to issue certificates under rules and~~
45 ~~regulations to be prescribed by the commissioner.~~

46 ~~b. Prior to writing the designated examination for~~
47 ~~license, the applicant must furnish a certificate of~~
48 ~~completion of the aforesaid prelicensing course from the~~
49 ~~authorized educational institution, insurance company, or~~
50 ~~insurance trade organization.~~

51 ~~e. All applicants for a license to transact the life~~
52 ~~lines of authority who are holders of the professional~~
53 ~~designation chartered life underwriter (CLU); all applicants~~
54 ~~for a license to transact the property lines of authority who~~
55 ~~are holders of the professional designations chartered~~
56 ~~property casualty underwriter (CPCU) or certified insurance~~

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57 ~~counselor (CIC); or other similar professional insurance~~
58 ~~designations as the commissioner may prescribe by regulation~~
59 ~~shall be deemed to have completed the prelicensing course as~~
60 ~~prescribed in this subdivision.~~

61 ~~d. All applicants with a minimum of a bachelor's degree~~
62 ~~with a major in insurance from an accredited college or~~
63 ~~university are exempt from the requirements of this~~
64 ~~subdivision for all lines of authority.~~

65 ~~e. All applicants for a license to transact only the~~
66 ~~following lines of authority shall be exempt from the~~
67 ~~requirements of this subdivision:~~

68 ~~1. Variable life and variable annuity products.~~

69 ~~2. Limited lines insurance.~~

70 ~~f. All producers and service representatives who are~~
71 ~~lawfully licensed as such for a particular line of authority~~
72 ~~immediately prior to January 1, 2013, are exempt from the~~
73 ~~requirements of this subdivision for that line of authority~~
74 ~~unless, after January 1, 2013, the license is permitted to~~
75 ~~expire or is otherwise terminated and remains out of effect~~
76 ~~for a period of 12 consecutive months, in which case the~~
77 ~~exemption from the prelicensing course shall no longer be~~
78 ~~applicable.~~

79 ~~(4)~~(3) The individual has successfully passed the
80 examination for the lines of authority for which the
81 individual has applied, except that no examination shall be
82 required of an applicant as follows:

83 a. All applicants for a license to transact only one or
84 more of the limited lines insurance.



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85 b. All applicants for a license to transact the
86 variable life and variable annuity products line of authority.

87 c. All producers lawfully licensed as such for a
88 particular line of authority immediately prior to January 1,
89 2013, are exempt from the requirements of this subdivision for
90 that line of authority unless, after January 1, 2013, the
91 license is permitted to expire or is otherwise terminated and
92 remains out of effect for a period of 12 consecutive months,
93 in which case the exemption from examination shall no longer
94 be applicable.

95 d. All service representatives.

96 ~~(5)~~ (4) The individual has paid the fees set forth in
97 Section 27-4-2.

98 ~~(6)~~ (b) All producers seeking to be licensed for or
99 holding the variable life and variable annuity product line of
100 authority must also hold the life line of authority as an
101 insurance producer and must also successfully complete the
102 appropriate securities examinations and be registered under
103 applicable federal and state securities laws.

104 ~~(b)~~ (c) A business entity acting as an insurance
105 producer is required to obtain an insurance producer license.
106 Application shall be made using the Uniform Business Entity
107 Application. Before approving the application, the
108 commissioner shall find that the business entity has satisfied
109 all of the following:

110 (1) A licensed individual producer has been designated
111 responsible for the business entity's compliance with the
112 insurance laws, rules, and regulations of this state.



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113 (2) The business entity has paid the fees set forth in
114 Section 27-4-2.

115 ~~(e)~~ (d) The commissioner may require any documents
116 reasonably necessary to verify the information contained in an
117 application.

118 ~~(d)~~ (e) Each insurer that sells, solicits, or negotiates
119 any form of limited line credit insurance shall provide a
120 program of instruction to each individual whose duties will
121 include selling, soliciting, or negotiating limited line
122 credit insurance ~~a program of instruction~~.

123 (f) (1) No new license as a service representative shall
124 be issued by the commissioner after the effective date of the
125 act adding this language.

126 (2) Any person holding a valid service representative
127 license on the effective date of the act adding this language
128 may continue to renew the license after that date if the
129 person otherwise meets the requirements of this section.

130 (3) If any service representative license expires and
131 is not renewed for a period of 12 consecutive months, the
132 license shall not be renewed by the commissioner or otherwise
133 reactivated."

134 "§27-7-14.1

135 (a) Unless denied licensure pursuant to Section
136 27-7-19, persons who have met the requirements of Sections
137 27-7-4.3 and 27-7-5 shall be issued an insurance producer
138 license. An insurance producer may receive qualification for a
139 license in one or more of the following lines of authority:

140 (1) LIFE. Insurance coverage on human lives including



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141 benefits of endowment and annuities, and may include benefits
142 in the event of death or dismemberment by accident and
143 benefits for disability income.

144 (2) ACCIDENT AND HEALTH OR SICKNESS, commonly known as
145 disability. Insurance coverage for sickness, bodily injury, or
146 accidental death and may include benefits for disability
147 income.

148 (3) PROPERTY. Insurance coverage for the direct or
149 consequential loss or damage to property of every kind.

150 (4) CASUALTY. Insurance coverage against legal
151 liability, including that for death, injury, or disability or
152 damage to real or personal property, and surety.

153 (5) VARIABLE LIFE and VARIABLE ANNUITY PRODUCTS.
154 Insurance coverage provided under variable life insurance
155 contracts and variable annuities.

156 (6) PERSONAL LINES. Property and casualty insurance
157 coverage sold to individuals and families for primarily
158 noncommercial purposes.

159 (7) CREDIT. Limited line credit insurance.

160 (8) BAIL BOND. Surety coverage for bail, as defined in
161 Chapter 13 of Title 15.

162 (9) RENTAL VEHICLE. As described in Section 27-7-5.1.

163 (10) CROP. Insurance providing protection against
164 damage to crops from unfavorable weather conditions, fire, or
165 lightning, flood, hail, insect infestation, disease or other
166 yield-reducing conditions or peril provided by the private
167 insurance market, or that is subsidized by the Federal Crop
168 Insurance Corporation, including Multi-Peril Crop Insurance.



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169 (11) PORTABLE ELECTRONICS. As defined in Section
170 27-22A-1.

171 (12) TRAVEL. As described in Section 27-7-5.2.

172 (13) Any other line of insurance permitted under state
173 laws or regulations.

174 ~~(b) Unless denied licensure pursuant to Section~~
175 ~~27-7-19, persons who have met the requirements of Section~~
176 ~~27-7-5 shall be issued a service representative license. A~~
177 ~~service representative shall receive qualification for a~~
178 ~~license in the following lines of authority:~~

179 ~~(1) PROPERTY. Insurance coverage for the direct or~~
180 ~~consequential loss or damage to property of every kind.~~

181 ~~(2) CASUALTY. Insurance coverage against legal~~
182 ~~liability, including that for death, injury, or disability or~~
183 ~~damage to real or personal property, and surety.~~

184 ~~(e)~~ (b) An insurance producer or service representative
185 license shall remain in effect unless revoked or suspended as
186 long as the license renewal fee set forth in Section 27-8A-9
187 is paid and education requirements for resident individual
188 producers and service representatives set forth in Chapter 8A
189 of this title are met by the due date.

190 ~~(d)~~ (c) An individual insurance producer who allows his
191 or her license to lapse ~~may~~, within 12 months from the due
192 date of the renewal fee, may reinstate the same license
193 without the necessity of ~~completing the prelicensing course or~~
194 passing a written examination; a service representative who
195 allows his or her license to lapse ~~may~~, within 12 months from
196 the due date of the renewal fee, may reinstate the same



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197 ~~license without the necessity of completing the prelicensing~~
198 ~~course; however, a penalty in the amount of double the unpaid~~
199 ~~renewal fee shall be required for any renewal fee received~~
200 ~~after the due date.~~

201 ~~(e)~~ (d) A licensed insurance producer or service
202 representative who is unable to comply with license renewal
203 procedures due to military service or some other extenuating
204 circumstance, e.g., a long-term medical disability, may
205 request a waiver of those procedures. The producer or service
206 representative may also request a waiver of any examination
207 requirement or any other fine or sanction imposed for failure
208 to comply with renewal procedures."

209 "§27-9A-6

210 (a) An individual applying for a resident independent
211 adjuster license shall apply to the commissioner on the
212 appropriate NAIC Uniform Individual Application and declare
213 under penalty of suspension, revocation, or refusal of the
214 license that the statements made in the application are true,
215 correct, and complete to the best of the individual's
216 knowledge and belief. Before approving the application, the
217 commissioner shall find that the individual meets all of the
218 following:

219 (1) Is at least 18 years of age.

220 (2) Is eligible to designate this state as his or her
221 home state.

222 (3) Has not committed any act that is a ground for
223 probation, suspension, revocation, or refusal of an
224 independent adjuster's license as set forth in Section

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225 27-9A-12.

226 ~~(4) Has completed a prelicensing course of study for~~
227 ~~the line of authority for which the person has applied.~~

228 (5) (4) Has successfully passed the examination for the
229 line of authority for which the ~~person~~ individual has applied.

230 ~~(6)~~ (5) Has paid the fees set forth in Section 27-4-2.

231 (b) The commissioner may contract with non-governmental
232 entities, including the NAIC, to perform any ministerial
233 functions, including the collection of fees and data, related
234 to licensing that the commissioner may deem appropriate. The
235 commissioner may require that license applications, license
236 renewal applications, and supporting documentation be filed
237 and all required fees and charges be paid electronically
238 through systems operated or maintained by the non-governmental
239 entities.

240 (c) No resident of another state or of the District of
241 Columbia or of Canada may be licensed pursuant to this section
242 or may designate Alabama as his or her home state unless the
243 ~~person~~ individual has successfully passed the independent
244 adjuster examination and has otherwise complied with the other
245 applicable portions of this section.

246 (d) A business entity applying for a resident
247 independent adjuster license shall apply to the commissioner
248 on the appropriate NAIC Uniform Business Entity Application
249 and declare under penalty of suspension, revocation, or
250 refusal of the license that the statements made in the
251 application are true, correct, and complete to the best of the
252 business entity's knowledge and belief. Before approving the

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253 application, the commissioner shall find that the business
254 entity meets all of the following:

255 (1) Is eligible to designate this state as its home
256 state.

257 (2) As applicable, has qualified or registered with the
258 office of the Secretary of State to engage in business in this
259 state.

260 (3) Has designated an individual independent adjuster
261 licensed in this state as responsible for the business
262 entity's compliance with this chapter and with the insurance
263 laws and rules of this state.

264 (4) Has not committed an act that is a ground for
265 probation, suspension, revocation, or refusal of an
266 independent adjuster's license as set forth in Section
267 27-9A-12.

268 (5) Has paid the fees set forth in Section 27-4-2.

269 (e) The commissioner may require any documents
270 reasonably necessary to verify the information contained in
271 the application."

272 "§27-9A-8

273 ~~(a) (1) Every individual subject to the examination~~
274 ~~required in subsection (b) shall first complete a prelicensing~~
275 ~~course consisting of 20 classroom hours per line of authority,~~
276 ~~or equivalent individual instruction.~~

277 ~~(2) The prelicensing course shall have been completed~~
278 ~~within 12 months before the date of the related examination as~~
279 ~~shown on the certificate furnished by the prelicensing course~~
280 ~~provider.~~



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281 ~~(3) Every prelicensing course provider shall apply~~
282 ~~annually for the continued authority to issue certificates of~~
283 ~~completion under rules to be prescribed by the commissioner.~~

284 ~~(4) At the time of initial approval and annually~~
285 ~~thereafter, the commissioner shall collect from each~~
286 ~~prelicensing course provider a fee set by the commissioner not~~
287 ~~to exceed one hundred dollars (\$100). The fee shall be~~
288 ~~deposited in the State Treasury to the credit of the Insurance~~
289 ~~Department Fund. Public institutions shall be exempt from~~
290 ~~paying the fee, but shall otherwise be subject to the rules~~
291 ~~applicable to other providers.~~

292 ~~(b)(1)(a)~~ (a) An individual intending to apply for an
293 independent adjuster license shall pass a written examination
294 unless exempt pursuant to Section 27-9A-9.

295 ~~(2)(b)~~ (b) The examination shall test the knowledge of the
296 individual concerning the lines of authority for which
297 application is made, the duties and responsibilities of an
298 independent adjuster, and the insurance laws and
299 ~~regulations~~ rules of this state. Examinations required by this
300 section shall be developed and conducted under rules
301 prescribed by the commissioner.

302 ~~(3)(c)~~ (c) Each individual applying for an examination
303 shall ~~furnish a certificate of completion of the prelicensing~~
304 ~~course from an authorized prelicensing course provider and pay~~
305 a ~~non-refundable~~ nonrefundable fee prescribed by the
306 commissioner as set forth in Section 27-4-2.

307 ~~(4)(d)~~ (d) The commissioner may make arrangements,
308 including contracting with an outside testing service, for

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309 administering examinations and collecting the nonrefundable
310 fee set forth in Section 27-4-2.

311 ~~(5)~~ (e) An individual who fails to appear for the
312 examination as scheduled or fails to pass the examination
313 shall reapply for an examination and remit all required fees
314 and forms before being rescheduled for another examination.

315 ~~(6)~~ (f) No individual who has taken and failed to pass
316 two examinations given pursuant to this section for a
317 particular line of insurance shall be entitled to take any
318 further examination for that line of insurance until after the
319 expiration of three months from the date of the last
320 examination which the individual failed to pass. If the
321 individual fails to pass the examination after two more
322 attempts, the individual shall not be eligible to take any
323 further examination for that line of insurance until after the
324 expiration of six months from the date of the last
325 unsuccessful examination. An examination fee shall be paid for
326 each ~~and every~~ examination."

327 "§27-9A-9

328 (a) An individual applicant for an independent adjuster
329 license in this state shall not be required to complete ~~any~~
330 ~~prelicensing course or an~~ examination if the person is
331 currently licensed in another state for the same line or lines
332 of authority based on an independent adjuster examination or
333 if such state license has expired and the application is
334 received by this state within 90 days of expiration. The
335 applicant shall either provide certification from the other
336 state that the applicant's license is currently in good



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337 standing or was in good standing at the time of expiration or
338 the state's producer database records maintained by the NAIC
339 must indicate that the applicant is or was licensed in good
340 standing. The certification must be of a license with the same
341 line of authority for which the individual has applied.

342 (b) ~~A person~~An individual licensed as an independent
343 adjuster in another state based on an independent adjuster
344 examination who, within 90 days of establishing legal
345 residency in this state, applies to become a resident
346 independent adjuster licensee pursuant to Section 27-9A-6
347 shall not be required to complete ~~a prelicensing course or an~~
348 examination.

349 (c) An individual who applies for an independent
350 adjuster license in this state who was previously licensed as
351 an independent adjuster in this state shall not be required to
352 complete ~~a prelicensing course or an~~an examination, but this
353 exemption is only available if the application is received
354 within 12 months of the cancellation of the applicant's
355 previous license in this state and if, at the time of
356 cancellation, the applicant was in good standing in this
357 state.

358 (d) An individual applicant for an independent adjuster
359 license in this state shall not be required to complete ~~a~~
360 ~~prelicensing course or an~~an examination if the applicant was
361 previously employed for a minimum of 20 years as an adjuster
362 in this state by an insurance company licensed in this state
363 and the applicant submits his or her application within 12
364 months of leaving the employment of the company. The insurance



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365 company, upon request, shall certify to the department the
366 time period that the applicant was employed by the insurance
367 company.

368 ~~(c) An individual applicant for an independent adjuster~~
369 ~~license in this state shall not be required to complete any~~
370 ~~prelicensing course or examination if the applicant holds a~~
371 ~~certification from a person or entity approved by the~~
372 ~~commissioner that provides adjuster education and training and~~
373 ~~that requires, as a prerequisite to certification, an~~
374 ~~examination substantially equivalent to that of this state.~~
375 ~~The applicant shall provide evidence of current~~
376 ~~certification."~~

377 "§27-9A-11

378 (a) The apprentice independent adjuster license is a
379 temporary license for an individual residing in this state who
380 is qualified for an independent adjuster license except ~~as to~~
381 ~~having taken and passed for taking and passing the~~
382 ~~prelicensing course and examination~~ for independent adjuster.

383 (b) An individual applying for an apprentice
384 independent adjuster license shall apply to the commissioner
385 on the appropriate NAIC Uniform Individual Application and
386 declare under penalty of suspension, revocation, or refusal of
387 the license that the statements made in the application are
388 true, correct, and complete to the best of the individual's
389 knowledge and belief. Before approving the application, the
390 commissioner shall find that the individual meets all of the
391 following:

392 (1) Is at least 18 years of age.



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393 (2) Is a resident of this state.

394 (3) Has a business or mailing address in this state.

395 (4) Has not committed any act that is a ground for
396 probation, suspension, revocation, or denial of licensure as
397 set forth in Section 27-9A-12.

398 (5) Has paid the fees for an individual independent
399 adjuster license as set forth in Section 27-4-2.

400 (c) The apprentice independent adjuster license shall
401 be subject to all of the following terms and conditions:

402 (1) Accompanying the apprentice adjuster application
403 shall be an attestation from an independent adjuster licensed
404 in this state with the same lines of authority for which the
405 apprentice has applied certifying that the apprentice will be
406 subject to training, direction, and control by the licensed
407 independent adjuster and further certifying that the licensed
408 independent adjuster assumes responsibility for the actions of
409 the apprentice in the apprentice's capacity as an independent
410 adjuster. A licensed independent adjuster shall not supervise
411 more than five active apprentice adjuster licensees at any
412 given time.

413 (2) The apprentice independent adjuster is only
414 authorized to adjust claims in this state.

415 (3) The apprentice licensee is restricted to
416 participation in the adjusting of claims subject to the review
417 and final determination of the claim by the supervising
418 licensed independent adjuster.

419 (4) Compensation of an apprentice independent adjuster
420 shall be on a salaried or hourly basis only.



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421 (5) At any time during the period of the license the
422 apprentice independent adjuster may ~~complete the prelicensing~~
423 ~~course and~~ take the examination required by Section 27-9A-8.
424 If the apprentice independent adjuster successfully completes
425 the independent adjuster examination, the apprentice
426 independent adjuster license shall automatically terminate and
427 an independent adjuster license shall be issued in place
428 thereof.

429 (6) The apprentice independent adjuster license is
430 valid for a period not to exceed 12 months and is
431 nonrenewable. An individual may only hold an apprentice
432 independent adjuster license once in his or her lifetime.

433 (7) An apprentice independent adjuster shall be subject
434 to Sections 27-9A-12, 27-9A-14, 27-9A-15, and Chapter 12 ~~of~~
435 ~~this title~~ to the same extent as if licensed as an independent
436 adjuster in this state."

437 "§27-25-4.1

438 (a) The commissioner may contract with non-governmental
439 entities, including NAIC, to perform any ministerial
440 functions, including the collection of fees and data, related
441 to licensing that the commissioner may deem appropriate. The
442 commissioner may require that license applications, license
443 renewal applications, notices of appointments and appointment
444 terminations, and supporting documentation be filed and all
445 required fees and charges be paid electronically through
446 systems operated or maintained by the non-governmental
447 entities.

448 (b) An individual applying for a title insurance agent



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449 license shall apply to the commissioner on the appropriate
450 NAIC Uniform Individual Application and declare under penalty
451 of suspension, revocation, or refusal of the license that the
452 statements made in the application are true, correct, and
453 complete to the best of the individual's knowledge and belief.
454 Before approving the application, the commissioner shall find
455 that the individual meets all of the following:

456 (1) Is at least 19 years of age.

457 (2) Is a bona fide resident and citizen of this state
458 or is a full-time employee of a duly licensed title insurance
459 agent whose principal place of business is physically located
460 in this state.

461 (3) Has not committed any act that is a ground for
462 probation, suspension, revocation, or refusal of license as
463 set forth in Section 27-25-4.5.

464 ~~(4) Has completed the prelicensing course of study for~~
465 ~~title insurance as required in Section 27-25-4.3.~~

466 ~~(5)~~ (4) Has successfully passed the examination for
467 title insurance as required in Section 27-25-4.3.

468 ~~(6)~~ (5) Has paid the fees set forth in Section
469 27-25-4.7.

470 (c) A business entity applying for a title insurance
471 agent license shall apply to the commissioner on the
472 appropriate NAIC Uniform Business Entity Application and
473 declare under penalty of suspension, revocation, or refusal of
474 the license that the statements made in the application are
475 true, correct, and complete to the best of the business
476 entity's knowledge and belief. Before approving the



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477 application, the commissioner shall find that the business
478 entity meets all of the following:

479 (1) Is a domestic entity properly formed and existing
480 under Title 10A and whose principal place of business is
481 physically located in this state.

482 (2) Has designated an individual title insurance agent
483 licensed in this state as responsible for the business
484 entity's compliance with this chapter and with the insurance
485 laws, rules, and regulations of this state.

486 (3) Has not committed an act that is a ground for
487 probation, suspension, revocation, or refusal of license as
488 set forth in Section 27-25-4.5.

489 (4) Has paid the fees set forth in Section 27-25-4.7.

490 (d) The commissioner may require any documents
491 reasonably necessary to verify the information contained in
492 the application."

493 "§27-25-4.3

494 ~~(a)(1) Every individual subject to the examination~~
495 ~~required in subsection (b) shall first complete a prelicensing~~
496 ~~course consisting of 20 classroom hours or equivalent~~
497 ~~individual instruction on the general principles of title~~
498 ~~insurance, the duties and responsibilities of a title~~
499 ~~insurance agent, and the title insurance laws and regulations~~
500 ~~of this state. The course shall be taught only by those~~
501 ~~educational institutions, title insurers, or title insurance~~
502 ~~trade organizations which hold written authority from the~~
503 ~~commissioner.~~

504 ~~(2) The prelicensing course must have been completed~~



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505 ~~within 12 months before the date of the examination as shown~~
506 ~~on the certificate furnished by the prelicensing course~~
507 ~~provider.~~

508 ~~(3) Every prelicensing course provider shall apply~~
509 ~~annually for the continued authority to issue certificates of~~
510 ~~completion under rules and regulations to be prescribed by the~~
511 ~~commissioner.~~

512 ~~(4) At the time of initial approval and annually~~
513 ~~thereafter, the commissioner shall collect from each~~
514 ~~prelicensing course provider the fee set forth in Section~~
515 ~~27-25-4.7. Public institutions shall be exempt from paying the~~
516 ~~fee but shall otherwise be subject to the rules and~~
517 ~~regulations applicable to other providers.~~

518 ~~(b)(1)~~ (a)(1) An individual intending to apply for a
519 title insurance agent license shall first pass a written
520 examination unless exempt pursuant to subsection ~~(e)~~ (b).

521 (2) The examination shall test the knowledge of the
522 individual concerning title insurance, the duties and
523 responsibilities of a title insurance agent, and the insurance
524 laws of this state. Examinations required by this section
525 shall be developed and conducted under rules prescribed by the
526 commissioner.

527 (3) Each individual applying for an examination shall
528 ~~furnish a certificate of completion of the prelicensing course~~
529 ~~from an authorized prelicensing course provider and pay a~~
530 nonrefundable examination fee pursuant to Section 27-25-4.7.

531 (4) The commissioner may make arrangements, including
532 contracting with an outside testing service, for administering



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533 examinations and collecting the nonrefundable fee prescribed
534 by the commissioner, in which case the fees approved by the
535 commissioner for the examinations may be paid directly to the
536 outside testing service, and the fee shall be in lieu of, but
537 not in excess of, the fees for the examination set forth in
538 Section 27-25-4.7.

539 (5) An individual who fails to appear for the
540 examination as scheduled or fails to pass the examination
541 shall reapply for an examination and remit all required fees
542 and forms before being rescheduled for another examination.

543 (6) No individual who has taken and failed to pass two
544 examinations given pursuant to this section shall be entitled
545 to take any further title insurance agent examinations until
546 after the expiration of three months from the date of the last
547 examination which the individual failed to pass. If the
548 individual thereafter fails to pass the examination after two
549 more attempts, the individual shall not be eligible to take
550 any further title insurance agent examinations until after the
551 expiration of six months from the date of the last
552 unsuccessful examination. An examination fee shall be paid for
553 each ~~and every~~ examination.

554 ~~(c)~~(b) An individual shall be exempt from the
555 examination requirement of subsection ~~(b)~~(a) only as follows:

556 (1) If, within 90 days after January 1, 2013, the
557 applicant can establish to the satisfaction of the
558 commissioner that for a period of at least five years
559 preceding January 1, 2013, the applicant has been an
560 authorized signatory to commitments, title insurance policies,



HB60 Enrolled

561 and endorsements to title insurance policies issued by the
562 title insurance agent on behalf of a title insurer properly
563 authorized to conduct the business of title insurance in this
564 state.

565 (2) If the individual was previously licensed as a
566 title insurance agent in this state after having passed the
567 examination required by subsection ~~(b)~~ (a) or being exempt from
568 the examination under subdivision (1), this exemption is
569 available only if the application is received within 12 months
570 of the cancellation of the applicant's previous license in
571 this state and if, at the time of cancellation, the applicant
572 was in good standing in this state."

573 Section 2. This act shall become effective on January
574 1, 2024, following its passage and approval by the Governor,
575 or its otherwise becoming law.


HB60 Enrolled



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Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 04-Apr-23.

John Treadwell
Clerk

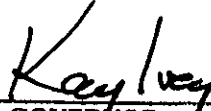
Senate 27-Apr-23 Passed

APPROVED

5-3-2023

TIME

3:30 pm



GOVERNOR

Alabama Secretary Of State
Act Num.....: 2023-104
Bill Num....: H-60
Recv'd 05/04/23 08:56amSLF

SPONSOR
ELLIS

DIST. NO.
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HOUSE ACTION
DATE: 37 2023
RD 1 RFD INSURANCE

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on INSURANCE was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) w/sub this 22 day of March, 2023.
John Treadwell, Chair

DATE: 3.22 2023
RF RD 2 CAL

DATE: _____
RE-REFERRED RE-COMMITTED
Committee _____

DATE: _____
RE-REFERRED RE-COMMITTED
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 60
YEAS 99 NAYS 0
JOHN TREADWELL,
Clerk

SENATE ACTION
DATE: 4-4 2023
RD 1 RFD B+I

This Bill was referred to the Standing Committee of the Senate on B+I and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of _____ years 14 nays 0 abstain this 19th day of April, 2023.
Patrick Harris, Chair

DATE: 4-19 2023
RF FAJ RD2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 60
YEAS 30 NAYS 0
PATRICK HARRIS,
Secretary

DATE: 4-27-23 RD 3 at length
PASSED PASSED AS AMENDED

YEAS 30 NAYS 0
And was ordered returned forthwith to the House
PATRICK HARRIS,
Secretary

DATE: _____
INDEFINITELY POSTPONED YEARS _____ NAYS _____
DATE: _____
RECONSIDERED YEARS _____ NAYS _____