

STATE OF NEW YORK

8065

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. HUNTER -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to consolidating the licensing system for agents and brokers into a single producer license; and to repeal certain provisions of such law related thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 214 of the insurance law, as amended by section 61
2 of part A of chapter 62 of the laws of 2011, is amended to read as
3 follows:

4 § 214. Report on insurance [~~agent~~] producer licensing examinations.
5 The superintendent shall perform a study of the insurance [~~agent~~]
6 producer licensure examinations required pursuant to section two thou-
7 sand one hundred [~~three~~] four of this chapter. The study shall, at a
8 minimum, include the total number of examinees, the passing rate of all
9 examinees, and the mean scores on the examination. Additionally, the
10 study shall examine the correlation between these statistics and the
11 applicants' native language, level of education, gender, race and
12 ethnicity. The study shall be completed by March fifteenth, two thousand
13 twelve, and annually thereafter.

14 § 2. Paragraphs 10 and 11 of subsection (k) of section 2101 of the
15 insurance law, paragraph 10 as amended and paragraph 11 as added by
16 section 36 of part D of chapter 56 of the laws of 2013, as renumbered by
17 section 2 of part V of chapter 57 of the laws of 2014, are amended and a
18 new paragraph 12 is added to read as follows:

19 (10) a person who is not a resident of this state who sells, solicits
20 or negotiates a contract of property/casualty insurance, as defined in
21 paragraph six of subsection (x) of this section, of an insurer not
22 authorized to do business in this state, provided that: (A) the
23 insured's home state is a state other than this state; and (B) such

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 person is otherwise licensed to sell, solicit or negotiate excess line
2 insurance in the insured's home state; [~~ex~~]

3 (11) any person who has received a grant from and has been certified
4 by the health benefit exchange established pursuant to section 1311 of
5 the affordable care act, 42 U.S.C. § 18031 to act as a navigator, as
6 such term is used in 42 U.S.C. § 18031(i), including any person employed
7 by a certified navigator, provided that the person: (A) has completed
8 the training required by the health benefit exchange; (B) does not sell
9 insurance; (C) does not engage in any activity with respect to insurance
10 not expressly permitted under 42 U.S.C. § 18031 (i) (3) and regulations
11 thereunder; and (D) does not receive any compensation for acting as a
12 navigator directly or indirectly from an insured, insurance producer, or
13 an insurer[~~+~~]; or

14 (12) nothing in this subsection shall be construed to alter the mean-
15 ing of "insurance agent" and "insurance broker" as defined in paragraphs
16 twenty-five and twenty-six of subsection (a) of section one hundred
17 seven of this chapter, the meaning of "insurance agent", "independent
18 insurance agent", and "insurance broker" as such terms are defined by
19 subsections (a) through (c) of this section, or any duties established
20 by such provisions.

21 § 3. The section heading and subsections (a), (b), (d), (e), (h), (k),
22 (l), (m), (n) and (o) of section 2103 of the insurance law, subsections
23 (a), (b), (e) and (n) as amended by chapter 687 of the laws of 2003,
24 subsection (k) as amended by chapter 540 of the laws of 1996, subsection
25 (m) as amended by chapter 769 of the laws of 1984, and subsection (o) as
26 added by chapter 285 of the laws of 1993, are amended to read as
27 follows:

28 Insurance offered by mortgage guaranty insurance agents and fraternal
29 benefit societies; licensing. (a) The superintendent may issue a license
30 to any person, firm or corporation who or which has complied with the
31 requirements of this chapter, authorizing such licensee to act as an
32 insurance agent with respect to [~~the lines of authority for life insur-~~
33 ~~ance, variable life and variable annuity products, or accident and~~
34 ~~health insurance and sickness or any other line of authority deemed to~~
35 ~~be similar by the superintendent, including for this purpose, health~~
36 ~~maintenance organization contracts, legal services insurance or with~~
37 ~~respect to any combination of the above, as specified in such license,~~
38 ~~on behalf of any insurer, fraternal benefit society or health mainte-~~
39 ~~nance organization, which is authorized to do such kind or kinds of~~
40 ~~insurance or health maintenance organization business in this state]~~
41 products described in section four thousand five hundred five of this
42 chapter.

43 (b) [~~The superintendent may issue a license to any person, firm, asso-~~
44 ~~ciation or corporation who or which has complied with the requirements~~
45 ~~of this chapter, authorizing the licensee to act as agent of any author-~~
46 ~~ized insurer, other than an insurer specified in subsection (b) of~~
47 ~~section two thousand one hundred fifteen of this article, with respect~~
48 ~~to the lines of authority for accident and health or sickness, property,~~
49 ~~casualty, personal lines or any other line of authority granted other~~
50 ~~than life, and variable life and variable annuity products, which such~~
51 ~~insurer is authorized to do in this state]~~ Any insurance agent licensed
52 pursuant to subsection (a) of this section is hereby authorized while so
53 licensed, to act in the sale, solicitation or negotiation for an insur-
54 ance contract providing solely for disability benefits written to meet
55 minimum requirements of article nine of the workers' compensation law.

1 (d) Every individual applicant for a license under this section and
2 every proposed sub-licensee shall be eighteen years of age or over at
3 the time of the issuance of such license. The provisions of this
4 subsection shall apply to agents of a mortgage insurer, as defined by
5 subsection (b) of section six thousand five hundred one of this chapter.

6 (e) Before any original insurance agent's license is issued there
7 shall be on file in the office of the superintendent an application by
8 the prospective licensee in such form or forms and supplements, and
9 containing information the superintendent prescribes and for each busi-
10 ness entity, the sub-licensee or sub-licensees named in the application
11 shall be designated responsible for the business entity's compliance
12 with the insurance laws, rules and regulations of this state. The
13 provisions of this subsection shall apply to agents of a mortgage insur-
14 er, as defined by subsection (b) of section six thousand five hundred
15 one of this chapter.

16 (h) The superintendent may refuse to issue any insurance agent's
17 license if, in [~~his~~] the judgment of such superintendent, the proposed
18 licensee or any sub-licensee is not trustworthy and competent to act as
19 such agent, or has given cause for the revocation or suspension of such
20 a license, or has failed to comply with any prerequisite for the issu-
21 ance of such license. The provisions of this subsection shall apply to
22 agents of a mortgage insurer, as defined by subsection (b) of section
23 six thousand five hundred one of this chapter, and agents of a fraternal
24 benefit society as defined by subsection (a) of section four thousand
25 five hundred one of this chapter.

26 (k) If the superintendent deems it necessary [~~he~~] such superintendent
27 may require any licensed agent to submit a new application at any time.
28 The provisions of this subsection shall apply to agents of a mortgage
29 insurer, as defined by subsection (b) of section six thousand five
30 hundred one of this chapter, and agents of a fraternal benefit society
31 as defined by subsection (a) of section four thousand five hundred one
32 of this chapter.

33 (l) Any licensee may at any time while such license is in force apply
34 to the superintendent for an additional license authorizing such licen-
35 see, and the sub-licensees named in such existing license, to act as
36 insurance agents for additional insurers. The superintendent may, after
37 the requirements of this chapter have been complied with, issue such
38 additional license. The provisions of this subsection shall apply to
39 agents of a fraternal benefit society as defined by subsection (a) of
40 section four thousand five hundred one of this chapter.

41 (m) An agent appointed for an insurer authorized to transact business
42 in this state may transact business for any subsidiaries or affiliates
43 of said insurer that are licensed in this state for the same line or
44 lines of insurance without such insurers submitting additional appoint-
45 ments, provided a certified copy of a resolution adopted by the board of
46 directors of each of the insurers requesting such authority is filed
47 with the superintendent by each of the insurers and renewed and refiled
48 whenever deemed necessary by the superintendent. The resolution shall
49 also designate the primary insurer for which all of the company's agents
50 must be appointed pursuant to subsection (a) or (b) of this section, and
51 said appointment must be in full force and effect in order to transact
52 business for any of the affiliated or subsidiary insurers. The
53 provisions of this subsection shall apply to agents of a mortgage insur-
54 er, as defined by subsection (b) of section six thousand five hundred
55 one of this chapter, and agents of a fraternal benefit society as

1 defined by subsection (a) of section four thousand five hundred one of
2 this chapter.

3 (n) [~~Any insurance agent licensed pursuant to subsection (b) of this~~
4 ~~section is hereby authorized while so licensed, to act in the sale,~~
5 ~~solicitation or negotiation for an insurance contract providing solely~~
6 ~~for disability benefits written to meet minimum requirements of article~~
7 ~~nine of the workers' compensation law.~~

8 (e)] The superintendent may issue a replacement for a currently in
9 force license which has been lost or destroyed. Before such replacement
10 license shall be issued, there shall be on file in the office of the
11 superintendent a written application for such replacement license,
12 affirming under penalty of perjury that the original license has been
13 lost or destroyed, together with a fee of fifteen dollars. The
14 provisions of this subsection shall apply to agents of a mortgage insur-
15 er, as defined by subsection (b) of section six thousand five hundred
16 one of this chapter.

17 § 4. Paragraph 2 of subsection (f) of section 2103 of the insurance
18 law, as amended by chapter 65 of the laws of 1998, subparagraph (A) as
19 amended by chapter 687 of the laws of 2003, subparagraph (B) as amended
20 by chapter 365 of the laws of 2018, is amended and a new paragraph 4 is
21 added to read as follows:

22 (2) The superintendent may from time to time make reasonable classi-
23 fications of the kinds of insurance and may prescribe the following
24 types of examinations:

25 [(A)] For individuals seeking to qualify to obtain a license under
26 subsection (a) of this section, one examination adapted to test the
27 qualifications for a life insurance agent's license⁷ and another
28 adapted to test the qualifications for an accident and health insurance
29 agent's license [~~and another adapted to test the qualifications for a~~
30 ~~legal services insurance license~~]. Each such individual shall be
31 required to pass the type or types of examination prescribed by the
32 superintendent for the line or lines of authority, as specified in
33 subsection (a) of this section, for which the license is sought. No
34 individual shall be deemed qualified to take the examination or examina-
35 tions unless [he] such individual shall have successfully completed a
36 course or courses, approved as to method and content by the superinten-
37 dent, covering the principal branches and contracts of life insurance,
38 annuity contracts, disability insurance, accident and health insurance
39 and related insurance and requiring not less than forty hours of class-
40 room work or the equivalent in correspondence work or similar instruc-
41 tion, provided, however, that, at the discretion of the superintendent,
42 insurance subject material may be eliminated from course content, with a
43 corresponding reduction in course hours, if an insurer is not authorized
44 to transact such kind or kinds of insurance in this state. Such course
45 or courses either shall have been given by a degree conferring college
46 or university which has, when such course is taken by such individual, a
47 curriculum or curricula registered with the state education department,
48 whether such course be given as part of any such curricula or separate-
49 ly, or by any other institution or life or accident and health insurer
50 which maintains equivalent standards of instruction, and which shall
51 have been approved for such purpose by the superintendent.

52 [(B) ~~For individuals seeking to qualify to obtain a license under~~
53 ~~subsection (b) of this section, not more than six types of examinations,~~
54 ~~each adapted to test the qualifications of an individual with respect to~~
55 ~~the kinds of insurance business specified in such classification. Every~~
56 ~~such individual shall be required to pass the type or types of examina-~~

~~tion prescribed by the superintendent for the line or lines of authority for which the license is sought. No individual shall be deemed qualified to take the examination unless he shall have successfully completed a course or courses, approved as to method and content by the superintendent, covering the principal branches of the insurance business and requiring not less than ninety hours of classroom work or the equivalent in correspondence work, a course offered over the internet or a similar institution, in institutions of learning meeting the standards prescribed by paragraph one of subsection (a) of section two thousand one hundred four of this article; provided, however, with respect to a license issued pursuant to subsection (b) of this section for a personal line of authority, there shall be required not less than forty hours of such classroom work or the equivalent in correspondence work, a course offered over the internet or a similar institution.]~~

(4) The provisions of this subsection shall apply to agents of a mortgage insurer, as defined by subsection (b) of section six thousand five hundred one of this chapter.

§ 5. Subsection (i) of section 2103 of the insurance law is amended by adding a new paragraph 4 to read as follows:

(4) The provisions of this subsection shall apply to agents of a mortgage insurer, as defined by subsection (b) of section six thousand five hundred one of this chapter, and agents of a fraternal benefit society as defined by subsection (a) of section four thousand five hundred one of this chapter.

§ 6. Subsection (j) of section 2103 of the insurance law is amended by adding a new paragraph 14 to read as follows:

(14) The provisions of this subsection shall apply to agents of a mortgage insurer, as defined by subsection (b) of section six thousand five hundred one of this chapter, and agents of a fraternal benefit society as defined by subsection (a) of section four thousand five hundred one of this chapter.

§ 7. Section 2104 of the insurance law, paragraph 1 of subsection (b), paragraph 1 of subsection (c) and paragraph 1 of subsection (e) as amended by chapter 505 of the laws of 2000, the opening paragraph and subparagraphs (A) and (B) of paragraph 1 of subsection (b), paragraph 1 of subsection (d), paragraph 3 of subsection (e) and paragraph 5 of subsection (g) as amended and paragraph 3 of subsection (b) as added by chapter 687 of the laws of 2003, subparagraph (F) of paragraph 3 of subsection (e) and paragraph 2 of subsection (f) as amended by section 65 of part PP of chapter 56 of the laws of 2022, paragraph 1 of subsection (f) as amended by section 3 and paragraphs 2 and 3 of subsection (g) as amended by section 4 of part F of chapter 59 of the laws of 2005, paragraph 1 of subsection (g) as amended by chapter 200 of the laws of 2019, and subsection (j) as added by chapter 285 of the laws of 1993, is amended to read as follows:

§ 2104. Insurance [~~brokers~~ producers; licensing. (a) (1) The superintendent may issue an insurance [~~broker's~~ producer's license, other than a title insurance agent's license issued pursuant to section two thousand one hundred thirty-nine of this article, a reinsurance intermediary's license issued pursuant to section two thousand one hundred six of this article, or an excess line broker's license issued pursuant to section two thousand one hundred five of this article, to any individual, firm, association or corporation, hereinafter designated as "licensee," who or which is deemed by [~~him~~ such superintendent] trustworthy and competent to act as a broker in such manner as to safeguard the interests of the insured, and to act as insurance agent on behalf of any

1 insurer, fraternal benefit society or health maintenance organization,
2 which is authorized to do such kind or kinds of insurance or health
3 maintenance organization business in this state, and who or which is
4 otherwise qualified as herein required, and who or which has complied
5 with the prerequisites herein prescribed.

6 (2) The purpose of this section is to protect the public by requiring
7 and maintaining professional standards of conduct on the part of all
8 insurance [~~brokers~~] producers acting as such within this state.

9 (b) (1) Such license shall [~~confer upon~~] authorize the licensee
10 authority to act in this state as insurance [~~broker~~] producer, and upon
11 every natural person named as sub-licensee in such license authority to
12 act in this state as insurance [~~broker~~] producer in the name of and on
13 behalf of such licensee, with respect to the following lines of authori-
14 ty:

15 (A) life insurance, variable life and variable annuity products, acci-
16 dent and health insurance and sickness or any other line of authority
17 deemed to be similar by the superintendent, including for this purpose,
18 health maintenance organization contracts and legal services insurance;
19 or

20 (B) any and every line of authority, except life insurance and vari-
21 able life and variable annuity products.

22 (2) A license issued to a corporation may name as sub-licensees only
23 the officers and directors of such corporation, and a license issued to
24 a firm or association may name as sub-licensees only the individual
25 members of such firm or association. Each sub-licensee named in such
26 license must be qualified to obtain a license as an insurance [~~broker~~]
27 producer, and for each such sub-licensee a fee must be paid at the times
28 and at the rates hereinafter specified.

29 (3) The license shall contain the licensee's name, address, personal
30 identification number, the date of issuance, the licensee's lines of
31 authority, the expiration date and any other information the superinten-
32 dent deems necessary. The license shall display the lines of authority
33 as:

34 (A) in the case of a license under subparagraph (A) of paragraph one
35 of this subsection, "life", "variable life/variable annuities", and
36 "accident and health and sickness"; and

37 (B) in the case of a license under subparagraph (B) of paragraph one
38 of this subsection, "casualty", "property", "baggage"; "personal lines",
39 and "accident and health and sickness".

40 (c) (1) Every individual applicant for such license and every proposed
41 sub-licensee shall be of the age of eighteen years or over at the time
42 of the issuance of such license. No individual shall be deemed qualified
43 to obtain such license or to be named as sub-licensee therein unless
44 [~~he~~] such individual shall comply with the requirements of subparagraph
45 (A), (B) or (C) following:

46 (A) [~~He~~] Such individual shall have successfully completed a course or
47 courses, approved as to method and content by the superintendent, cover-
48 ing the principal branches of the insurance business and requiring, in
49 the case of a license under subparagraph (B) of paragraph one of
50 subsection (b) of this section, not less than ninety hours, provided,
51 however, with respect to a license issued pursuant to subparagraph (B)
52 of paragraph one of subsection (b) of this section for a personal line
53 of authority, there shall be required not less than forty hours of such
54 classroom work or the equivalent in correspondence work, a course
55 offered over the internet, or a similar institution, and in the case of
56 a license under subparagraph (A) of paragraph one of subsection (b) of

1 this section, not less than forty hours of classroom work or the equiv-
2 alent thereof in correspondence work. Such course or courses either were
3 given by a degree conferring college or university which has, when such
4 course is taken by such individual, a curriculum or curricula registered
5 with the state education department, whether such course be given as a
6 part of any such curriculum or separately, or were given by [~~the~~] The
7 College of Insurance, or by any other institution which maintains equiv-
8 alent standards of instruction, which has been continuously in existence
9 for not less than five years prior to the taking of such course by such
10 individual, and which shall have been approved for such purpose by the
11 superintendent.

12 (B) [~~He~~] Such individual shall have been regularly employed by an
13 insurance company or an insurance [~~agent or an insurance broker~~] produc-
14 er, for a period or periods aggregating not less than one year during
15 the three years next preceding the date of application, in the case of a
16 license under subparagraph (B) of paragraph one of subsection (b) of
17 this section, in responsible insurance duties relating to the underwrit-
18 ing or adjusting of losses in any one or more of the following branches
19 of insurance: fire, marine, liability and workers' compensation, and
20 fidelity and surety; in the case of a license under subparagraph (A) of
21 paragraph one of subsection (b) of this section in responsible insurance
22 duties relating to the use of life insurance, accident and health insur-
23 ance and annuity contracts in the design and administration of plans for
24 estate conservation and distribution, employee benefits and business
25 continuation; and [~~he~~] such applicant shall submit with [~~his~~] their
26 application a statement subscribed and affirmed as true under the penal-
27 ties of perjury by such employer or employers stating facts which show
28 compliance with this requirement.

29 (C) [~~He~~] Such individual shall have been regularly employed by an
30 insurance company or an insurance [~~agent or an insurance broker~~] produc-
31 er, for a period or periods aggregating not less than one year, during
32 the three years next preceding the date of entrance into the service of
33 the armed forces of the United States or immediately following [~~his~~]
34 their discharge therefrom, in the case of a license under subparagraph
35 (B) of paragraph one of subsection (b) of this section, in responsible
36 insurance duties relating to the underwriting or adjusting of losses in
37 any one or more of the following branches of insurance: fire, marine,
38 liability and workers' compensation, and fidelity and surety; in the
39 case of a license under subparagraph (A) of paragraph one of subsection
40 (b) of this section in responsible insurance duties relating to the use
41 of life insurance, accident and health insurance and annuity contracts
42 in the design and administration of plans for estate conservation and
43 distribution, employee benefits and business continuation; provided the
44 application for such license is filed within one year from the date of
45 discharge; and [~~he~~] such individual shall submit with [~~his~~] their appli-
46 cation a statement subscribed and affirmed as true under the penalties
47 of perjury by such employer or employers stating facts which show
48 compliance with this requirement.

49 (2) The requirements of subparagraphs (A), (B) and (C) of paragraph
50 one hereof shall not apply to any non-resident insurance [~~broker~~]
51 producer.

52 (d) (1) Before any such license shall be issued by the superintendent
53 and before each renewal, there shall be filed in [~~his~~] the office of the
54 superintendent a written application therefor by the proposed licensee
55 and by each proposed sub-licensee. Such application shall be in the form
56 or forms and supplements prescribed by the superintendent and contain

1 such information as [~~he or she~~] such superintendent shall require and
2 for each business entity, the sub-licensee or sub-licensees named in the
3 application shall be designated responsible for the business entity's
4 compliance with the insurance laws, rules and regulations of this state.
5 In connection with any such application the superintendent shall have
6 power to examine under oath any person who has or appears to have rele-
7 vant information, and to make an examination of the books, records and
8 affairs of any such applicant.

9 (2) The superintendent may require from every applicant and from every
10 proposed sub-licensee, before issuing any such license or renewal
11 license, a statement subscribed and affirmed by the applicant and
12 proposed sub-licensee as true under the penalties of perjury as to the
13 ownership of any interest in an applicant firm, association or corpo-
14 ration and as to facts indicating whether any applicant has been by
15 reason of an existing license, if any, or will be by reason of the
16 license applied for, receiving any benefit or advantage in violation of
17 section two thousand three hundred twenty-four of this chapter, and also
18 as to such facts as [~~he~~] such superintendent may deem pertinent to the
19 requirements of this subsection.

20 (3) The superintendent may refuse to issue a license or renewal
21 license, as the case may be, to any applicant if [~~he~~] such superinten-
22 dent finds that such applicant has been or will be, as aforesaid,
23 receiving any benefit or advantage in violation of section two thousand
24 three hundred twenty-four of this chapter, or if [~~he~~] such superinten-
25 dent finds that more than ten percent of the aggregate net commissions,
26 received during the term of the existing license, if any, or to be
27 received during the term of the license applied for, by the applicant,
28 resulted or will result from insurance on [~~the~~] property and risks [~~set~~
29 ~~forth in subparagraphs (A), (B) and (C) of paragraph one of subsection~~
30 ~~(i) of section two thousand one hundred three of this article~~]:

31 (A) of the spouse of an individual applicant; and of any corporation
32 of which such individual applicant or their spouse or both own more than
33 fifty percent of the shares; and of any affiliated or subsidiary corpo-
34 rations of such corporation; and of the members of any firm or associ-
35 ation and their spouses, of which firm or association the individual
36 applicant or their spouse is a member;

37 (B) of the members of an applicant firm or association and their
38 respective spouses, and of the owners of any interest in such firm or
39 association and their respective spouses, and of any corporation of
40 which such firm or association or the members or owners and their
41 respective spouses, either individually or in the aggregate, own more
42 than fifty percent of the shares, and of any affiliated or subsidiary
43 corporations of such corporation, and of any other firm and the members
44 thereof and their respective spouses, of which other firm a member or
45 members of the applicant firm or association and their respective spous-
46 es are members or owners; and

47 (C) of the shareholders of an applicant corporation and their respec-
48 tive spouses, and of any affiliated and subsidiary corporations of such
49 applicant corporation, and of any subsidiary and affiliated corporations
50 of a corporation owning any interest in such applicant corporation, and
51 of any firm or association and the members thereof and their respective
52 spouses which either individually or collectively own more than fifty
53 percent of the shares of the applicant corporation, and of any corpo-
54 ration of which such firm or association and its members and their
55 respective spouses, either individually or in the aggregate, own more

1 than fifty percent of the shares, and of any affiliated or subsidiary
2 corporation of such corporation.

3 (4) Nothing herein shall be deemed to disqualify any applicant by
4 reason of acts done or facts existing at a time when the same did not,
5 under the law then in force, constitute or contribute to constituting
6 such a disqualification.

7 (e) (1) (A) The superintendent shall, in order to determine the compe-
8 tency of each applicant for an insurance broker's license, other than a
9 renewal license, and of each proposed sub-licensee, to act as insurance
10 broker, require every such person to submit to, and pass to the satis-
11 faction of the superintendent, a personal written examination on the
12 branches of the insurance business relevant to such license. Such exam-
13 ination shall be held at such times and places as the superintendent
14 shall from time to time determine.

15 (B) An exemption may be granted, at the discretion of the superinten-
16 dent, as to all or any part of the written examination or the prerequi-
17 site course specified in subparagraph (A) of paragraph one of subsection
18 (c) of this section, of any individual seeking to be named a licensee or
19 sub-licensee, upon whom has been conferred, in the case of a license
20 under subparagraph (B) of paragraph one of subsection (b) of this
21 section, the Chartered Property Casualty Underwriter (C.P.C.U.) desig-
22 nation by the American Institute for Property and Liability Underwrit-
23 ers, or on whom has been conferred, in the case of a license under
24 subparagraph (A) of paragraph one of subsection (b) of this section, the
25 Chartered Life Underwriter (C.L.U.), Chartered Financial Consultant
26 (Ch.F.C.) or the Master of Science in Financial Services (M.S.F.S.)
27 designations by the American College of Financial Service Professionals.

28 (C) The superintendent may accept, in lieu of any such examination,
29 the result of any previous written examination, given by the superinten-
30 dent, which in their judgment is equivalent to the examination for which
31 it is substituted.

32 (D) The superintendent shall require that all written examinations
33 request the applicant to set forth: (i) their full name, age, residence
34 address, business address and mailing address; (ii) the applicant's
35 gender; (iii) the applicant's native language; (iv) the applicant's
36 highest level of education achieved; and (v) the applicant's race or
37 ethnicity. This section of the examination shall include a clear and
38 unambiguous statement that the applicant is not required to disclose
39 their race or ethnicity, gender, native language or level of education,
40 that such applicant will not be penalized for failing to do so, and that
41 the department will use this information solely for statistical purposes
42 that will then be studied in order to ensure continued quality and fair-
43 ness of the examination.

44 (2) Every individual applying to take any written examination shall,
45 at the time of applying therefor, pay to the superintendent, or, at the
46 discretion of the superintendent, directly to any organization that is
47 under contract to provide examination services, an examination fee of an
48 amount which is the actual documented administrative cost of conducting
49 said qualifying examination as certified by the superintendent from time
50 to time. An examination fee represents an administrative expense and is
51 not refundable. The superintendent may, whenever in [~~his~~] their judgment
52 it appears advisable in order to determine the competency of any appli-
53 cant for a renewal license, or of any proposed sub-licensee to be named
54 therein, require such person to pass to the satisfaction of the super-
55 intendent, a similar written examination.

1 (3) The superintendent may issue a license to any person seeking to be
2 named as licensee or sub-licensee who:

3 (A) has since July first, nineteen hundred twenty-eight, passed the
4 examination given by the superintendent for that insurance agent's,
5 broker's or producer's license and was licensed as such;

6 (B) within three years from the date of the receipt of [~~his~~] their
7 application was a similarly licensed insurance [~~broker~~] producer;

8 (C) within ten years from the date of the receipt of [~~his~~] their
9 application was, in the case of a license under subparagraph (B) of
10 paragraph one of subsection (b) of this section, a similarly licensed
11 insurance [~~broker~~] producer and during the period of three years next
12 preceding the receipt of [~~his~~] their application was licensed as a
13 property/casualty insurance agent or producer and, in the case of a
14 license under subparagraph (A) of paragraph one of subsection (b) of
15 this section, was a similarly licensed insurance broker or producer and
16 during the period of three years next preceding the receipt of [~~his~~]
17 their application was licensed as a life and accident and health insur-
18 ance agent or producer;

19 (D) has regularly and continuously acted, in the case of a license
20 under subparagraph (B) of paragraph one of subsection (b) of this
21 section, as a licensed resident property/casualty and accident and
22 health insurance agent or producer and, in the case of a license under
23 subparagraph (A) of paragraph one of subsection (b) of this section,
24 acted as a licensed life and accident and health insurance agent or
25 producer for a period of at least five years immediately preceding the
26 date of receipt of [~~his~~] their application;

27 (E) is a non-resident insurance [~~broker~~] producer for similar lines;

28 (F) served as a member of the armed forces of the United States at any
29 time, and shall (i) have been discharged under conditions other than
30 dishonorable, or (ii) has a qualifying condition, as defined in section
31 one of the veterans' services law, and has received a discharge other
32 than bad conduct or dishonorable from such service, or (iii) is a
33 discharged LGBT veteran, as defined in section one of the veterans'
34 services law, and has received a discharge other than bad conduct or
35 dishonorable from such service, and who within three years prior to [~~his~~
36 ~~or her~~] their entry into the armed forces held a license as insurance
37 broker for similar lines, provided [~~his or her~~] their application for
38 such license is filed before one year from the date of final discharge;
39 or

40 (G) was previously licensed for the same line or lines of authority in
41 another state, provided, however, that the applicant's home state grants
42 non-resident licenses to residents of this state on the same basis. Such
43 individual shall also not be required to complete any prelicensing
44 education. This exemption is only available if the person is currently
45 licensed in that state or if the application is received within ninety
46 days of the date of cancellation of the applicant's previous license and
47 if the prior state issues a certification that, at the time of cancella-
48 tion, the applicant was in good standing in that state or the state's
49 producer database records, maintained by the National Association of
50 Insurance Commissioners, its affiliates or subsidiaries, indicate that
51 the producer is or was licensed in good standing for the line of author-
52 ity requested. An individual or entity licensed in another state who
53 moves to this state shall make an application within ninety days of
54 establishing legal residence to become a resident licensee. No preli-
55 censing education or examination shall be required of that person to

1 obtain any line of authority previously held in the prior state except
2 where the superintendent determines otherwise by regulation.

3 (f) (1) At the time of application for every such license, and for
4 every biennial renewal thereof, there shall be paid to the superinten-
5 dent for each individual applicant and for each proposed sub-licensee
6 the sum of forty dollars for each year or fraction of a year in which a
7 license shall be valid. If, however, the applicant or a proposed sub-li-
8 censee should withdraw [~~his~~] their or its application or the superinten-
9 dent should deny [~~his~~] their or its application before the license
10 applied for is issued, the superintendent may refund the fee paid by the
11 applicant for the license applied for, excepting any examination fees
12 required pursuant to subsection (e) of this section.

13 (2) No license fee shall be required of any person who served as a
14 member of the armed forces of the United States at any time, and who (A)
15 shall have been discharged, under conditions other than dishonorable, or
16 (B) has a qualifying condition, as defined in section one of the veter-
17 ans' services law, and has received a discharge other than bad conduct
18 or dishonorable from such service, or (C) is a discharged LGBT veteran,
19 as defined in section one of the veterans' services law, and has
20 received a discharge other than bad conduct or dishonorable from such
21 service, in a current licensing period, for the duration of such period.

22 (g) (1) Every insurance [~~broker's~~] producer's license issued pursuant
23 to this section to a business entity shall be for a term expiring on the
24 thirtieth day of June of odd-numbered years. On and after January first,
25 two thousand seven, every license issued pursuant to this section to an
26 individual, and every license in effect prior to January first, two
27 thousand seven that was issued pursuant to this section to an individ-
28 ual, who was born in an odd numbered year, shall expire on the individ-
29 ual's birthday in each odd numbered year. On and after January first,
30 two thousand seven, every license issued pursuant to this section to an
31 individual, and every license in effect prior to January first, two
32 thousand seven that was issued pursuant to this section to an individ-
33 ual, who was born in an even numbered year, shall expire on the individ-
34 ual's birthday in each even numbered year. Every such license may be
35 renewed for the ensuing period of twenty-four months upon the filing of
36 an application in conformity with this section. In the case of a license
37 issued to a new applicant, the superintendent may issue a license for a
38 term of more than two years, provided however, such term shall not
39 exceed thirty months. The superintendent may issue such rules and regu-
40 lations as the superintendent deems necessary to implement the terms of
41 this subsection including regulations providing that, prior to July
42 first, two thousand twenty-three, the registration fees and continuing
43 education requirements for the renewal of any license issued to a busi-
44 ness entity pursuant to this subsection for a period that is more than
45 twenty-four months may be increased in proportion to the length of the
46 period of licensure.

47 (2) An application for a renewal license shall be filed with the
48 superintendent not less than sixty days prior to the date the license
49 expires or the applicant shall be required to pay, in addition to the
50 fee required in subsection (f) of this section, a further fee for late
51 filing of ten dollars.

52 (3) If an application for a renewal license shall have been filed with
53 the superintendent before the expiration of such license, the license
54 sought to be renewed shall continue in full force and effect either
55 until the issuance by the superintendent of the renewal license applied
56 for or until five days after the superintendent shall have refused to

1 issue such renewal license and given notice of such refusal to the
2 applicant and to each proposed sub-licensee.

3 (4) Before refusing to renew any such license, except on the ground of
4 failure to pass a written examination required pursuant to subsection
5 (e) hereof, the superintendent shall notify the applicant of [~~his~~] their
6 intention so to do and shall give such applicant a hearing.

7 (5) (A) The superintendent may in issuing a renewal license dispense
8 with the requirement of a verified application by any individual licen-
9 see or sub-licensee who, by reason of being engaged in any military
10 service for the United States, is unable to make personal application
11 for such renewal license, upon the filing of an application on behalf of
12 such individual, in such form as the superintendent shall prescribe, by
13 some person or persons who in [~~his~~] their judgment have knowledge of the
14 facts and who make affidavit showing such military service and the
15 inability of such insurance broker to make personal application.

16 (B) An individual licensee or sub-licensee who is unable to comply
17 with license renewal procedures due to other extenuating circumstances,
18 such as a long-term medical disability, may request a waiver of such
19 procedures, in such form as the superintendent shall prescribe. The
20 licensee or sub-licensee may also request a waiver of any examination
21 requirement or any other fine or sanction imposed for failure to comply
22 with renewal procedures.

23 (h) Any corporation, association or firm licensed as an insurance
24 [~~broker~~] producer under this section may at any time make an application
25 to the superintendent for the issuance of a supplemental license author-
26 izing additional officers or directors of such corporation, or addi-
27 tional members of such firm or association, as the case may be, to act
28 as sub-licensees, and, if the requirements of this section are fully
29 complied with as to each of such proposed sub-licensees, the superinten-
30 dent may issue to such licensee a supplemental license naming such addi-
31 tional person or persons as sub-licensees.

32 (i) If an application for a license under this section be rejected, or
33 if such a license be suspended or revoked by the superintendent, [~~he~~]
34 such superintendent shall forthwith give notice thereof to the appli-
35 cant, or to the licensee.

36 (j) The superintendent may issue a replacement for a currently in
37 force license which has been lost or destroyed. Before such replacement
38 license shall be issued, there shall be on file in the office of the
39 superintendent a written application for such replacement license,
40 affirming under penalty of perjury that the original license has been
41 lost or destroyed, together with a fee of fifteen dollars.

42 § 8. The section heading and subsections (a) and (c) of section 2109
43 of the insurance law, subsection (a) as amended by section 4 and
44 subsection (c) as amended by section 5 of part V of chapter 57 of the
45 laws of 2014, are amended to read as follows:

46 [~~Agents and brokers~~] Producers and title insurance agents; temporary
47 license in case of death, service in armed forces or disability. (a)
48 The superintendent may issue a temporary insurance [~~agent's~~] producer's
49 license[~~7~~] or title insurance agent's license [~~or insurance broker's~~
50 ~~license, or both an insurance agent's and insurance broker's license,~~]
51 without requiring the applicant to pass a written examination or to
52 satisfy the requirements of subsection (c) of section two thousand one
53 hundred four of this article except as to age, in the case of a license
54 issued pursuant to paragraph two of this subsection, in the following
55 cases:

1 (1) in the case of the death of a person who at the time of [~~his~~]
2 ~~their~~ death was a licensed accident and health insurance [~~agent~~] ~~produc-~~
3 ~~er~~ under subsection (a) of section two thousand one hundred [~~three~~] ~~four~~
4 of this article, [~~a licensed insurance agent~~] or licensed title insur-
5 ance agent under [~~subsection (b) of such section or a licensed insurance~~
6 ~~broker~~] section two thousand one hundred thirty-nine of this article:

7 (A) to the executor or administrator of the estate of such deceased
8 [~~agent or broker~~] producer;

9 (B) to a surviving next of kin of such deceased [~~agent or broker~~]
10 producer, where no administrator of [~~his~~] ~~their~~ estate has been
11 appointed and no executor has qualified under [~~his~~] ~~their~~ duly probated
12 will;

13 (C) to the surviving member or members of a firm or association, which
14 at the time of the death of a member was such a licensed insurance
15 [~~agent,~~] producer or licensed title insurance agent [~~or licensed insur-~~
16 ~~ance broker~~]; or

17 (D) to an officer or director of a corporation upon the death of the
18 only officer or director who was qualified as a sub-licensee or to the
19 executor or administrator of the estate of such deceased officer or
20 director;

21 (2) to any person who may be designated by a person licensed pursuant
22 to this chapter as an insurance [~~agent,~~] producer or title insurance
23 agent [~~or an insurance broker, or both an insurance agent and insurance~~
24 ~~broker~~], and who is absent because of service in any branch of the armed
25 forces of the United States, including a partnership or corporation that
26 is licensed pursuant to this chapter as an insurance [~~agent,~~] producer
27 or title insurance agent [~~or as an insurance broker, or both an insur-~~
28 ~~ance agent and insurance broker~~], in a case where the sub-licensee or
29 all sub-licensees, if more than one, named in the license or licenses
30 issued to such partnership or corporation is or are absent because of
31 service in any branch of the armed forces of the United States; and

32 (3) to the next of kin of a person who has become totally disabled and
33 prevented from pursuing any of the duties of [~~his or her~~] ~~their~~ occupa-
34 tion, and who at the commencement of [~~his or her~~] ~~their~~ disability was a
35 licensed accident and health insurance [~~agent~~] producer under subsection
36 (a) of section two thousand one hundred [~~three~~] ~~four~~ of this article[~~, a~~
37 ~~licensed insurance agent under subsection (b) of such section,~~] or a
38 licensed title insurance agent [~~or a licensed insurance broker~~].

39 (c) Such license or licenses shall authorize the person or persons
40 named therein to renew the business of the deceased, absent or disabled
41 insurance [~~agent,~~] producer or title insurance agent, [~~or insurance~~
42 ~~broker, or both an insurance agent and insurance broker,~~] as the case
43 may be, or of the firm or, in the case of a license issued pursuant to
44 paragraph one or three of subsection (a) of this section, the associ-
45 ation whose business is being continued thereunder, each such [~~agent or~~
46 ~~broker~~] producer being referred to in this section as "original licen-
47 see", expiring during the period in which such temporary license or
48 licenses are in force, to collect premiums due and payable to the
49 original licensee or, in the case of a license issued pursuant to para-
50 graph one of subsection (a) of this section, to [~~his or her~~] ~~their~~
51 estate, and to perform such other acts as an insurance [~~agent,~~] producer
52 or a title insurance agent [~~or an insurance broker, or both an insurance~~
53 ~~agent or insurance broker~~], as the case may be, as are incidental to the
54 continuance of the insurance business of such original licensee.

1 § 9. Paragraph 1 of subsection (f) of section 2110 of the insurance
2 law, as amended by chapter 687 of the laws of 2003, is amended to read
3 as follows:

4 (1) As used in this subsection, "non-resident insurance producer's
5 license or sub-license" means a license or sub-license in such capacity
6 issued pursuant to [~~paragraph five of subsection (g) of section two~~
7 ~~thousand one hundred three or~~] subsection (e) of section two thousand
8 one hundred four of this article.

9 § 10. Section 2114 of the insurance law, paragraph 1 of subsection (a)
10 as amended by chapter 505 of the laws of 2000, paragraph 3 of subsection
11 (a) and subsection (b) as amended by chapter 687 of the laws of 2003,
12 paragraph 4 of subsection (a) as added by chapter 418 of the laws of
13 2000, is amended to read as follows:

14 § 2114. Life, accident and health insurance [~~agents~~] producers;
15 commissions. (a) (1) No insurer or fraternal benefit society doing busi-
16 ness in this state shall pay any commission or other compensation to any
17 person, firm or corporation, for any services in obtaining in this state
18 any new contract of life insurance or any new annuity contract, except
19 to a licensed life insurance producer appointed as agent of such insurer
20 or of such society or [~~to~~] acting as an insurance broker [~~licensed under~~
21 ~~subparagraph (A) of paragraph one of subsection (b) of section two thou-~~
22 ~~sand one hundred four of this article~~], and except to a person described
23 in paragraph two or three of subsection (a) of section two thousand one
24 hundred one of this article.

25 (2) No agent or other representative of any such life insurer or
26 fraternal benefit society shall pay any commission or other compensation
27 to any person for any services of the kind specified in paragraph one
28 hereof, except to a licensed life insurance producer appointed as agent
29 of such insurer or of such society as the case may be.

30 (3) No insurer, fraternal benefit society or health maintenance organ-
31 ization doing business in this state and no agent or other represen-
32 tative thereof shall pay any commission or other compensation to any
33 person, firm, association or corporation for services in soliciting,
34 negotiating or selling in this state any new contract of accident or
35 health insurance or any new health maintenance organization contract,
36 except to a licensed accident and health insurance producer appointed as
37 agent of such insurer, such society or health maintenance organization,
38 or to a licensed insurance broker of this state, and except to a person
39 described in paragraph two or three of subsection (a) of section two
40 thousand one hundred one of this article.

41 (4) Services of the kind specified in this subsection shall not
42 include the referral of a person to a licensed insurance [~~agent or~~
43 ~~broker~~] producer that does not include a discussion of specific insur-
44 ance policy terms and conditions and where the compensation for referral
45 is not based upon the purchase of insurance by such person.

46 (b) If any licensed life insurance [~~agent~~] producer who or which has
47 received an application for a life insurance or annuity contract is
48 unable after reasonable diligence to obtain all or any part of such
49 insurance from the life insurer or insurers which [~~he~~] such producer or
50 it is licensed to represent, such [~~agent~~] producer may solicit, negoti-
51 ate or sell such insurance, to the extent to which it is declined by
52 such insurer or insurers, from any other authorized life insurer or
53 insurers, with the consent of the person making such application; but no
54 such [~~agent~~] producer shall receive any commission or other compensation
55 for [~~his~~] their services in connection therewith from any insurer unless

1 [~~he~~] such producer is licensed as agent of such insurer at the time when
2 [~~he~~] such producer receives such compensation.

3 § 11. Subsections (a) and (c) of section 2115 of the insurance law,
4 paragraph 1 of subsection (a) as amended by chapter 418 of the laws of
5 2000, are amended to read as follows:

6 (a) (1) No insurer doing business in this state, and no agent or other
7 representative thereof, except as provided in subsection (b) hereof,
8 shall pay any commission or other compensation to any person, firm,
9 association or corporation for acting as insurance [~~agent~~] producer in
10 this state, except to a licensed insurance [~~agent of such insurer~~]
11 producer or to a person described in paragraph two or four of subsection
12 (a) of section two thousand one hundred one of this article or except as
13 provided in subsection (c) of this section. For the purposes of this
14 section, "acting as insurance [~~agent~~] producer" shall not include the
15 referral of a person to a licensed insurance [~~agent or broker~~] producer
16 that does not include a discussion of specific insurance policy terms
17 and conditions and where the compensation for referral is not based upon
18 the purchase of insurance by such person.

19 (2) The term "licensed insurance [~~agent~~] producer" as used in this
20 subsection includes any [~~agent~~] producer authorized to act as such by a
21 license issued and in force pursuant to the provisions of subsection (b)
22 of section two thousand one hundred [~~three~~] four of this article or
23 authorized to act as such in connection with contracts for disability
24 benefits pursuant to the provisions of [~~subsection (n) of~~] such section.

25 (c) An insurer participating in a plan for assignment of personal
26 injury liability insurance or property damage liability insurance pursu-
27 ant to article fifty-three of this chapter, or participating in a rein-
28 surance agreement for the writing of bonds to the state of New York
29 under the alcoholic beverage control law, which plan or reinsurance
30 agreement has been approved by the superintendent, may pay a commission
31 to an adequately qualified [~~agent~~] licensed producer who is [~~licensed~~]
32 appointed to act as agent for any insurer participating in such plan or
33 reinsurance agreement when such [~~agent~~] producer is designated by the
34 assured as the producer of record under the automobile assigned risk
35 plan pursuant to which a policy is issued, or where such [~~agent~~] produc-
36 er submits an application for a bond pursuant to which such bond is
37 issued under such reinsurance agreement.

38 § 12. Paragraph 1 of subsection (a) of section 2115 of the insurance
39 law, as amended by chapter 805 of the laws of 1984, is amended to read
40 as follows:

41 (1) No insurer doing business in this state, and no agent or other
42 representative thereof, except as provided in subsection (b) hereof,
43 shall pay any commission or other compensation to any person, firm,
44 association or corporation for acting as insurance [~~agent~~] producer in
45 this state, except to a licensed insurance [~~agent of such insurer~~]
46 producer or to a person described in paragraph two or four of subsection
47 (a) of section two thousand one hundred one of this article or except as
48 provided in subsection (c) of this section.

49 § 13. Section 2116 of the insurance law is REPEALED.

50 § 14. The section heading and subsections (a), (b), (c) and (d) of
51 section 2119 of the insurance law, the section heading as amended by
52 section 9 of part V of chapter 57 of the laws of 2014, paragraph 1 of
53 subsection (c) and subsection (d) as amended by chapter 687 of the laws
54 of 2003, paragraph 4 of subsection (c) as amended by chapter 368 of the
55 laws of 1984, are amended to read as follows:

1 Insurance [~~agents, brokers~~] producers, consultants, life settlement
2 brokers, and title insurance agents; written contract for compensation;
3 excess charges prohibited.

4 (a) (1) No person licensed as an insurance [~~agent, broker~~] producer or
5 consultant may receive any fee, commission or thing of value for examin-
6 ing, appraising, reviewing or evaluating any insurance policy, bond,
7 annuity or pension or profit-sharing contract, plan or program or for
8 making recommendations or giving advice with regard to any of the above,
9 unless such compensation is based upon a written memorandum signed by
10 the party to be charged and specifying or clearly defining the amount or
11 extent of such compensation.

12 (2) A copy of every such memorandum or contract shall be retained by
13 the licensee for not less than three years after such services have been
14 fully performed.

15 (b) (1) No person licensed as an insurance [~~agent, broker~~] producer or
16 a consultant may receive any compensation, direct or indirect, as a
17 result of the sale of insurance or annuities to, or the use of securi-
18 ties or trusts in connection with pensions for, any person to whom any
19 such licensee has performed any related consulting service for which
20 [~~he~~] such person has received a fee or contracted to receive a fee with-
21 in the preceding twelve months unless such compensation is provided for
22 in the memorandum or contract required pursuant to subsection (a) here-
23 of.

24 (2) This chapter shall not prohibit the offset, in whole or in part,
25 of compensation payable under subsection (a) hereof by compensation
26 otherwise payable to such consultant as [~~agent or broker~~] producer as a
27 result of such sale of insurance or annuities or the use of securities
28 or trusts in connection with pensions, if any such offset is provided
29 for in the written memorandum or contract required under subsection (a)
30 hereof.

31 (c) (1) No insurance [~~broker~~] producer may receive any compensation,
32 other than commissions deductible from premiums on insurance policies or
33 contracts, from any insured or prospective insured for or on account of
34 the sale, solicitation or negotiation of, or other services in
35 connection with, any contract of insurance made or negotiated in this
36 state or for any other services on account of such insurance policies or
37 contracts, including adjustment of claims arising therefrom, unless such
38 compensation is based upon a written memorandum, signed by the party to
39 be charged, and specifying or clearly defining the amount or extent of
40 such compensation.

41 (2) A copy of every such memorandum shall be retained by the [~~broker~~]
42 producer for not less than three years after such services have been
43 fully performed.

44 (3) This subsection shall not affect the right of any such [~~broker~~]
45 producer to recover from the insured the amount of any premium or premi-
46 ums for insurance effectuated by or through such [~~broker~~] producer.

47 (4) This subsection shall not affect the requirements of subsection
48 (a) or (b) hereof, subsection (g) of section two thousand one hundred
49 one or section two thousand one hundred eight of this article.

50 (d) No insurance [~~broker~~] producer shall, in connection with the sale,
51 solicitation or negotiation, issuance, delivery or transfer in this
52 state of any contract of insurance made or negotiated in this state,
53 directly or indirectly charge, or receive from, the insured or prospec-
54 tive insured therein any greater sum than the rate of premium fixed
55 therefor by the insurer obligated as such therein, unless such [~~broker~~]

1 producer has a right to compensation for services created in the manner
2 specified in subsection (c) of this section.

3 § 15. Section 2129 of the insurance law, as amended by chapter 556 of
4 the laws of 1996, is amended to read as follows:

5 § 2129. Duty to have [~~an agent or broker~~] a producer at each place of
6 business. (a) Each place of business established by the holder of [~~an~~
7 ~~agent and/or broker~~] a producer license shall be under the supervision
8 of one or more persons licensed to do the kinds of business transacted
9 in that office. The headquarters location must be supervised by one or
10 more persons licensed to do all the kinds of business for which the
11 licensee is authorized. Any satellite office established by a licensee
12 must be supervised by one or more persons licensed to do the kinds of
13 business to be transacted in that office.

14 (b) Written notice shall be given to the superintendent containing the
15 location of each satellite office and the licensed person or persons
16 responsible for each satellite office.

17 § 16. Subparagraph (A) of paragraph 2 of subsection (e), paragraph 4
18 of subsection (h) and subsection (j) of section 2131 of the insurance
19 law, subparagraph (A) of paragraph 2 of subsection (e) and paragraph 4
20 of subsection (h) as amended by chapter 368 of the laws of 2010, and
21 subsection (j) as amended by chapter 582 of the laws of 2003, are
22 amended to read as follows:

23 (A) summarize, clearly and correctly, the material terms of insurance
24 coverage, including the identity of the insurer and, with regard to
25 wireless communications equipment insurance, the [~~agent~~] producer
26 licensed under subsection (b) of section two thousand one hundred
27 [~~three~~] four of this article;

28 (4) with regard to wireless communications equipment insurance and
29 self-service storage company insurance, training materials may be devel-
30 oped and provided by [~~an agent~~] a producer licensed pursuant to
31 subsection (b) of section two thousand one hundred [~~three~~] four of this
32 article.

33 (j) No limited licensees under this section shall advertise, represent
34 or otherwise hold itself or any of its employees themselves out as
35 licensed insurance [~~agents or brokers~~] producers.

36 § 17. Paragraph 2 of subsection (c) of section 2132 of the insurance
37 law, as amended by chapter 264 of the laws of 1998, is amended to read
38 as follows:

39 (2) During the same calendar year biennial licensing period, a licen-
40 see may use accumulated continuing education credits to meet the
41 requirements of similar classes of licenses, as follows: (A) subsection
42 (a) of section two thousand one hundred [~~three~~] four and section two
43 thousand one hundred seven of this article with respect to life insur-
44 ance consultants; or (B) subsection (b) of [~~section two thousand one~~
45 ~~hundred three,~~] section two thousand one hundred four, section two thou-
46 sand one hundred seven of this article with respect to general insurance
47 consultants, and section two thousand one hundred eight of this article
48 with respect to public adjusters.

49 § 18. Paragraph 2 of subsection (b) of section 2202 of the insurance
50 law is amended to read as follows:

51 (2) No individual shall be qualified to take the examination unless he
52 possesses the same qualifications regarding insurance course require-
53 ments as those required pursuant to subparagraph (A) of paragraph [~~two~~]
54 one of subsection [~~(f)~~] (c) of section two thousand one hundred [~~three~~]
55 four of this chapter for [~~agent~~] producer licensing pursuant to such
56 section.

1 § 19. Subsection (f) of section 4236 of the insurance law is amended
2 to read as follows:

3 (f) Such association may solicit the sale of such health insurance
4 through any [~~insurance agent licensed pursuant to section two thousand~~
5 ~~one hundred three of this chapter and any~~] insurance [~~broker~~] producer
6 licensed pursuant to section two thousand one hundred four of this chap-
7 ter. It shall not pay to such [~~agent or broker~~] producer or any other
8 person any commission, compensation or other fee or allowance not in
9 accordance with a schedule thereof which shall have been filed by it
10 with and approved by the superintendent. Except as aforesaid, it shall
11 not pay any commission, compensation, fee or allowance to any person but
12 it may pay a salary or compensation to persons regularly employed by it.

13 § 20. Subsection (c) of section 4525 of the insurance law, as amended
14 by chapter 289 of the laws of 2009, is amended to read as follows:

15 (c) section one thousand one hundred one, subsections (a) and (g) of
16 section one thousand one hundred two, sections one thousand one hundred
17 three, one thousand one hundred five, one thousand one hundred six, one
18 thousand one hundred eight, one thousand one hundred twelve, paragraphs
19 one, two and three of subsection (a) of section one thousand one hundred
20 thirteen, sections one thousand two hundred five, one thousand two
21 hundred twelve, one thousand two hundred seventeen, and one thousand
22 three hundred twenty-two, subsections (a), (b), (d) and (e) of section
23 two thousand one hundred one, subsection (a) of section two thousand one
24 hundred two, subsection (a) and subsections (c) through (m) of section
25 two thousand one hundred three, subsections (a) through (e) of section
26 two thousand one hundred nine, subsections (a), (b) and (d) through (f)
27 of section two thousand one hundred ten, sections two thousand one
28 hundred twelve, two thousand one hundred fourteen [~~and two thousand one~~
29 ~~hundred sixteen~~], subsections (a), (b), (c) and (e) through (h) of
30 section two thousand one hundred seventeen, subsections (a) and (c) of
31 section two thousand one hundred twenty, sections two thousand one
32 hundred twenty-two, two thousand one hundred twenty-three, and two thou-
33 sand one hundred twenty-four, subsection (b) of section two thousand
34 three hundred seven, sections three thousand one hundred three, three
35 thousand one hundred five, three thousand one hundred six, three thou-
36 sand one hundred ten, three thousand two hundred one, three thousand two
37 hundred two, three thousand two hundred five, three thousand two hundred
38 seven, three thousand two hundred nine through three thousand two
39 hundred twelve, three thousand two hundred fourteen, four thousand two
40 hundred thirteen, four thousand two hundred twenty-six, four thousand
41 two hundred forty-one, seven thousand three hundred one, seven thousand
42 three hundred three and seven thousand three hundred four; and

43 § 21. Section 6505 of the insurance law, as amended by chapter 285 of
44 the laws of 1993, is amended to read as follows:

45 § 6505. Licensing of agents. The standards in subsections (d) through
46 (k), (m) and [~~(o)~~] (n) of section two thousand one hundred three of this
47 chapter shall apply to the licensing of agents for a mortgage insurer.
48 Such license may be limited to mortgage guaranty insurance. In such
49 event, the superintendent may, in [~~his~~] their discretion, provide a
50 special examination for such license.

51 § 22. This act shall take effect on the first of January next succeed-
52 ing the date on which it shall have become a law:

53 1. provided, however, that the amendments to paragraph 4 of subsection
54 (a) of section 2114 of the insurance law made by section ten of this act
55 shall not affect the repeal of such paragraph and shall be deemed
56 repealed therewith;

1 2. provided further, however, that the amendments to paragraph 1 of
2 subsection (a) of section 2115 of the insurance law made by section
3 eleven of this act shall be subject to the expiration and reversion of
4 such subdivision pursuant to section 12 of chapter 418 of the laws of
5 2000, as amended, when upon such date the provisions of section twelve
6 of this act shall take effect;

7 3. all licenses issued prior to the effective date of this act shall
8 remain in effect under terms and conditions that applied upon issuance
9 until their scheduled expiration. Upon renewal, all such licenses shall
10 be subject to the requirements and provisions of this act at the time of
11 such renewal.