

TO BE COMPLETED BY STATE INSURANCE DEPARTMENTS

NARAB (EX) WORKING GROUP RECIPROCITY CHECKLIST

A. 1. Under the laws of _____, and assuming licensure is not denied for cause pursuant to state law, are there any requirements imposed upon a non-resident producer seeking licensure in your state license other than:

1. The person must be currently licensed as a resident and in good standing in his or her home state;
2. The person has submitted the proper request for licensure and has paid the required fees;
3. The person has submitted or transmitted to this insurance commissioner the application for licensure that the person submitted to his or her home state, or in lieu of the same, a completed Uniform Application; and
4. The person’s home state awards non-resident producer licenses to residents of your state on the same basis?

No, these are the only requirements _____ or

Yes, this Department imposes additional requirement(s) _____

Note: An additional requirement does not include the Department conducting background checks on non-resident producer applicants.

If you answered “yes” to the above question please explain the additional requirement(s) and provide the authority in your statutes or regulations for imposing such requirement(s). (Please use separate page(s) if necessary.)

2. Does your state’s answer to A.1 also apply to business entities seeking non-resident licensure?

Yes _____ or No _____

If no, please explain the additional requirement(s) applicable to business entities and provide the authority in your statutes or regulations for imposing such requirement(s). (Please use separate page(s) if necessary.)

- B. Other than the four requirements stated in A above, do you have the legal authority to waive any requirements relating to the licensing of a non-resident producer if the non-resident producer’s home state grants licenses to producers from your state on the same basis (see Sec. 16, PLMA)?

Yes _____ or No _____

Citation (if applicable): _____

- C. 1. In your jurisdiction will a non-resident license be granted for at least the same scope of authority as the non-resident producer applicant’s home state license?

Yes _____ or No _____

Citation (if applicable): _____

2. Does your state require a non-resident applicant seeking a variable life license to also obtain a life license?

Yes _____ or No _____

Citation (if applicable): _____

If yes, will you waive this requirement? _____

- D. In your jurisdiction is a non-resident producer’s continuing education requirement met if the non-resident producer fulfills his or her home state CE requirement (if home state also grants such reciprocity)?

Yes _____ or No _____

Citation (if applicable): _____

- E. Please answer each of the following questions and for each “yes” answer indicate whether you will waive the requirement in order to achieve non-resident producer licensure reciprocity.

In your jurisdiction:

1. Is an appointment required prior to or concurrent with licensure?
Yes _____ or No _____
Citation (if applicable): _____
If yes, will you waive this requirement? _____

2. Are there any bond, E & O, deposit, tax clearance or trust account requirements for non-resident producer applicants?
Yes _____ or No _____
Citation (if applicable): _____
If yes, will you waive this requirement? _____

3. Are non-resident surplus lines producers required to post a bond?
Yes _____ or No _____
Citation (if applicable): _____

If you answered “yes,” when is the bond required to be posted? (For example, before licensure? Or at some point after licensure?)
Please explain: _____

If the bond is a licensing requirement, will you waive this requirement? ____

4. a. Are non-resident surplus lines producers required to obtain an underlying general lines or P&C license as a condition to surplus lines licensure?
Yes _____ or No _____
Citation (if applicable): _____

- b. If you answered “yes” to E.4.a., is the surplus lines producer also required to perform the diligent search of the admitted market in your state?
Yes _____ or No _____
Citation (if applicable): _____

- c. If you answered “no” to E.4.b., will you waive this requirement for non-residents?

- 4.5. Are there any training, education, prior experience requirements or minimum age requirements for non-resident producer applicants?
Yes _____ or No _____
Citation (if applicable): _____
If yes, will you waive this requirement? _____

56. Are there any provisions allowing only resident producers to sell or solicit insurance or bonds for state business, special funds or entities or state funded projects?
Yes _____ or No _____
Citation (if applicable): _____

If yes, will you waive this restriction for non-resident producers? _____

F. Under the laws of your state, are there any post-licensing or other regulatory requirements imposed upon any non-resident producer that limit or condition the non-resident producer’s activities because of such producer’s resident or place of operations, or that otherwise subject the non-resident to different or discriminatory regulatory requirements than those imposed upon residents?

Yes _____ or No _____

If yes, please list the post-licensing/other regulatory requirements:

Citation (if applicable):

Do you have the legal authority to waive any of the requirements listed above?

Yes _____ or No _____

If you have such authority, will you waive any of the requirements listed above?

Yes _____ or No _____

CERTIFICATION

I hereby certify that I am familiar with the laws, decisions, rules, regulations and other state action having the effect of law in my jurisdiction and upon review of the same affirm that the responses to the above and foregoing are true and correct. Moreover, I hereby further certify that I have the authority to waive those producer licensing requirements as indicated hereinabove and agree to waive said requirements in order to meet the reciprocity standard for non-resident producer licensing as set forth in the Gramm-Leach-Bliley Act.

Date: _____

(Signature)

Title: _____

This document is not intended to reflect any position statement of the NAIC, but has been prepared solely to assist the NARAB Working Group in its review of “State laws” under the reciprocity provisions of Public Law 106-102.