

Ins 6.57

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State of Wisconsin \ OFFICE OF THE COMMISSIONER OF INSURANCE

Lee Sherman Dreyfus  
Governor

Susan Mitchell  
Commissioner

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MADISON, WISCONSIN 53702

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AUG 18 1981  
2:30 p.m.  
REVISOR OF STATUTES  
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STATE OF WISCONSIN  
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AUG 17 1981

VEL PHILLIPS  
SECRETARY OF STATE

STATE OF WISCONSIN  
OFFICE OF THE COMMISSIONER OF INSURANCE

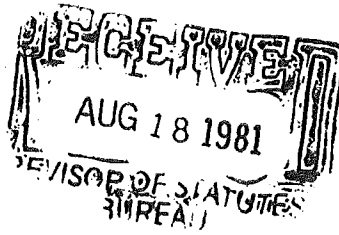
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Susan Mitchell, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending ss. Ins 6.57 (1) and (3), Ins 6.58 (5) (a) and (6) and Ins 6.63 (1) to (3) and creating s. Ins 6.61 (5) was issued by this office August 17, 1981.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 17th day of August, 1981.

Susan Mitchell  
Commissioner of Insurance



STATE OF WISCONSIN  
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AUG 17 1981

VEL PHILLIPS  
SECRETARY OF STATE

ORDER OF THE COMMISSIONER OF INSURANCE

ADOPTING RULES

Relating to listing of insurance agents by insurers, biennial licensing of agents and corporations, standards of competence and trustworthiness for corporation partners, directors or principal officers, and agents' notifying the commissioner of legal or disciplinary actions.

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ANALYSIS PREPARED BY THE OFFICE OF THE COMMISSIONER OF INSURANCE

The amendments to Ins 6.57 eliminate the required filing of some forms and clearly state that payment for initial listings will be annual at the time of renewal rather than being required at the actual time of listing. This interprets ss. 628.11 and 601.31 (1) (q), Stats.

Both Ins 6.58 (6) and Ins 6.63 (1) to (3) are amended to provide for biennial rather than annual regulation fee filling. The purpose is to interpret s. 601.31 (1) (p), Stats.

S. Ins 6.58 (5) is amended to refer to the renumbered standards of competency and trustworthiness for agents.

S. Ins 6.61 (5) which interprets 628.04 (1) (b) 2, Stats., requires agents to notify the commissioner within 30 days of felony convictions or formal disciplinary action.

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Pursuant to the authority vested in the Commissioner of Insurance by sections 601.41 (3), 628.04 (1) (b) 2, 601.31 (1) (p) (q), 628.11 and 227.021, Stats., the Commissioner of Insurance hereby amends ss. Ins 6.57 (1) and (3), Ins 6.58 (5) (a) and (b) and Ins 6.63 (1) to (3) and creates s. Ins 6.61 (5) implementing and interpreting sections 601.31 (1) (p) (q), Ins 6.28.04, and Ins 628.11, Stats., as follows:

SECTION 1. Section Ins 6.57 (1) and (3) is amended to read:

(1) Submission of an application for an intermediary-agent appointment shall constitute the initial listing of such agent in accordance with s. 628.11, Stats., and such application shall be submitted to the Office of the Commissioner of Insurance on or before the date of appointment on ~~forms 11-1 and 11-9 for resident individual intermediary agents and on form 11-17 for non-resident individual intermediary agents.~~ form OCI 11-01. Billing for initial listing shall be done annually at the same time and at the same rate as renewal listings.

(3) In addition each insurer shall pay once each year, in accordance with an assigned billing schedule, the annual listing fee defined in ~~s. 601.31 (16), Stats.~~ s. Ins 6.57 (4), Wis. Adm. Code, within 30 days after the mailing of a payment notice to such insurer showing the amount due for all ~~individual intermediary agents~~ individuals serving as agents for such insurer, according to the commissioner's records as of

~~the-end-of-the-month-prior-to~~the notice date. A billing schedule shall be adopted by the commissioner under which listing notices ~~will~~shall be sent to insurers. This schedule ~~will~~shall also designate the calendar month of billing for the various insurers and/or insurer groups.

Note: A copy of form OCI 11-01 can be obtained from the Office of the Commissioner of Insurance, P. O. Box 7872, Madison, WI 53707.

SECTION 2. Section Ins 6.58 (5) (a) and (6) is amended to read:

(5) STANDARDS OF COMPETENCE AND TRUSTWORTHINESS. (a) For partners, directors or principal officers who are licensed at the time of application under sub. (4) as insurance intermediaries, those standards as set forth in s. Ins ~~6-62~~6.59 (5), Wis. Adm. Code, shall apply in lieu of the standards set forth in this subsection.

(6) FEES. (a) ~~Annually~~Biennially, on or before January 1 of even numbered years, a regulation fee of ~~\$5-00~~\$10.00 for resident and ~~\$15-00~~\$30.00 for non-resident intermediaries will be billed as authorized by s. 601.31 (1) (p), Stats.

(b) If payment of the ~~annual~~biennial regulation fee is not made within 30 days after the date of billing, the license will be suspended. If payment is made during the suspension, the license will be reinstated.

(c) The license will be revoked if payment is not made within 60 days after suspension.

Note: The cited rule is incorporated in a proposed rule known as Clearinghouse Rule No. 81-95. If it is not adopted, appropriate changes will be made in s. Ins 6.58 (5) a.

SECTION 3. Section Ins 6.61 (5) is created to read:

(5) Each Wisconsin licensed agent must notify the commissioner within 30 days of any felony conviction or any formal disciplinary action against the agent taken by any state's insurance regulatory agency, commission or board, excepting action taken by the Wisconsin Office of the Commissioner of Insurance. Formal disciplinary action means consent decrees, cease and desist orders, stipulations, suspensions, revocations, license denials, fines, forfeitures or actions limiting the agent's method of conducting an insurance business. The notification must be in writing and give a description of the conviction or disciplinary action.

SECTION 4. Section Ins 6.63 (1) to (3) is amended to read:

Ins 6.63 Regulation charge. (1) the ~~annual~~-regulation amount to be paid biennially, by each licensed individual intermediary-agent ~~in accordance with s. 601.31(15m), Stats.~~ is established to be as follows:

Resident agent	<del>\$5.00</del>	<u>\$10.00</u>
Non-resident agent	<del>\$15.00</del>	<u>\$30.00</u>

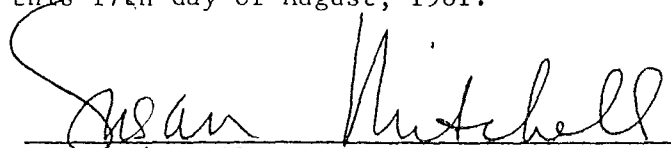
(2) The commissioner shall mail notification on form OCI 11-51 of the ~~annual~~-biennial regulation charge due and payable to each ~~individual-intermediary-agent~~ to the resident address on file with the Office of the Commissioner of Insurance.

(3) ~~The annual-regulation-charge-is-due-annually-after-the-year-in-which-the-initial-license-is-issued-in-the-month-of-the-birth-date-of-the-individual-intermediary-agent~~ Biennially on or before January 1 of each even numbered year the regulation fee is billed, and shall be paid within 30 days after the mailing by the Office of the Commissioner of Insurance of a notification that the charge is due.

Note: A copy of form OCI 11-51 can be obtained from the Office of the Commissioner of Insurance, P. O. Box 7872, Madison, WI 53707.

The amendments to ss. Ins 6.57 (1) and (3), Ins 6.58 (6) and Ins 6.63 shall take effect on the first day of January 1982, pursuant to authority granted by s. 227.016 (1) (b), Stats.; the amendment of s. Ins 6.58 (5) (a), and the creation of s. Ins 6.61 (5) shall take effect on the first day of the month following their publication, pursuant to s. 227.026 (1) (intro.), Stats.

Dated at Madison, Wisconsin this ~~17th~~ day of August, 1981.

  
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Susan Mitchell  
Commissioner of Insurance

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