

30 (2) (a) The commissioner may not state a continuing education requirement in terms
31 of formal education.

32 (b) The commissioner may state a continuing education requirement in terms of
33 classroom hours, or their equivalent, of insurance-related instruction received.

34 (c) Insurance-related formal education may be a substitute, in whole or in part, for
35 classroom hours, or their equivalent, required under Subsection (2)(b).

36 (3) (a) The commissioner shall impose continuing education requirements in
37 accordance with a two-year licensing period in which the licensee meets the requirements of
38 this Subsection (3).

39 (b) (i) Except as provided in this section, the continuing education requirements shall
40 require:

41 (A) that a licensee complete 24 credit hours of continuing education for every
42 two-year licensing period;

43 (B) that ~~three~~ 3 of the 24 credit hours described in Subsection (3)(b)(i)(A) be ethics
44 courses; and

45 (C) that the licensee complete at least half of the required hours through classroom
46 hours of insurance-related instruction.

47 (ii) The hours not completed through classroom hours in accordance with Subsection
48 (3)(b)(i)(C) may be obtained through:

49 (A) home study;

50 (B) video recording;

51 (C) experience credit; or

52 (D) ~~other methods~~ another method provided by rule.

53 (iii) (A) Notwithstanding Subsections (3)(b)(i)(A) and (B), a title insurance producer
54 is required to complete 12 credit hours of continuing education for every two-year licensing
55 period, with ~~three~~ 3 of the credit hours being ethics courses unless the title insurance
56 producer ~~has been~~ is licensed in this state as a title insurance producer for 20 or more
57 consecutive years.

58 (B) If a title insurance producer ~~[has been]~~ is licensed in this state as a title insurance
59 producer for 20 or more consecutive years, the title insurance producer is required to complete
60 ~~[six]~~ 6 credit hours of continuing education for every two-year licensing period, with ~~[three]~~ 3
61 of the credit hours being ethics courses.

62 (C) Notwithstanding Subsection (3)(b)(iii)(A) or (B), a title insurance producer is
63 considered to have met the continuing education requirements imposed under Subsection
64 (3)(b)(iii)(A) or (B) if the title insurance producer:

- 65 (I) is an active member in good standing with the Utah State Bar;
- 66 (II) is in compliance with the continuing education requirements of the Utah State Bar;
- 67 and
- 68 (III) if requested by the department, provides the department evidence that the title
69 insurance producer complied with the continuing education requirements of the Utah State
70 Bar.

71 (c) A licensee may obtain continuing education hours at any time during the two-year
72 licensing period.

73 (d) (i) ~~[Beginning May 3, 1999, a]~~ A licensee is exempt from continuing education
74 requirements under this section if:

- 75 (A) the licensee was first licensed before April 1, ~~[1970]~~ 1978;
- 76 (B) the licensee requests an exemption from the department; and
- 77 (C) the department approves the exemption.

78 (ii) If the department approves the exemption under Subsection (3)(d)(i), the licensee
79 is not required to apply again for the exemption.

80 (e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
81 commissioner shall, by rule:

82 (i) publish a list of insurance professional designations whose continuing education
83 requirements can be used to meet the requirements for continuing education under Subsection
84 (3)(b); ~~[and]~~

85 (ii) authorize a continuing education ~~[providers and]~~ provider or a state or national

86 professional producer or consultant ~~[associations]~~ association to:

87 (A) offer ~~[qualified programs for all license types and lines]~~ a qualified program for a
88 license type or line of authority on a geographically accessible basis; and

89 (B) collect a reasonable ~~[fees]~~ fee for funding and administration of ~~[the]~~ a continuing
90 education program, subject to the review and approval of the commissioner~~[-];~~ and

91 (iii) provide that membership by a producer or consultant in a state or national
92 professional producer or consultant association is considered a substitute for the equivalent of
93 two hours for each year during which the producer or consultant is a member of the
94 professional association, except that the commissioner may not give more than two hours of
95 continuing education credit in a year regardless of the number of professional associations of
96 which the producer or consultant is a member.

97 ~~[(iii) The fees]~~ (f) A fee permitted under Subsection (3)(e)(ii)(B) that ~~[are]~~ is charged
98 for attendance at a professional producer or consultant association program may be less for an
99 association member, ~~[based]~~ on the basis of the member's affiliation expense, but shall
100 preserve the right of a nonmember to attend without affiliation.

101 (4) The commissioner shall approve a continuing education ~~[providers and]~~ provider
102 or continuing education ~~[courses that satisfy]~~ course that satisfies the requirements of this
103 section.

104 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
105 the commissioner shall by rule set the processes and procedures for continuing education
106 provider registration and course approval.

107 (6) The requirements of this section apply only to ~~[producers or consultants who are~~
108 natural persons] a producer or consultant who is an individual.

109 (7) A nonresident producer or consultant is considered to have satisfied this state's
110 continuing education requirements if the nonresident producer or consultant satisfies the
111 nonresident producer's or consultant's home state's continuing education requirements for a
112 licensed insurance producer or consultant.

113 (8) A producer or consultant subject to this section shall keep documentation of

114 completing the continuing education requirements of this section for two years after the end of
115 the two-year licensing period to which the continuing education applies.