



30 (1) ~~[The]~~ Pursuant to this section, the commissioner shall by rule prescribe the  
31 continuing education requirements for a producer and a consultant.

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

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

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

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

41 (b) (i) Except as provided in ~~[Subsection (3)(b)(iii)]~~ this section, the continuing  
42 education requirements shall require:

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

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

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

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

51 (A) home study;

52 (B) video recording;

53 (C) experience credit; or

54 (D) other methods provided by rule.

55 (iii) (A) Notwithstanding Subsections (3)(b)(i)(A) and (B), a title insurance producer is  
56 required to complete 12 credit hours of continuing education for every two-year licensing  
57 period, with three of the credit hours being ethics courses unless the title insurance producer

58 has been licensed in this state as a title insurance producer for 20 or more consecutive years.

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

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

66 (I) is an active member in good standing with the Utah State Bar;

67 (II) is in compliance with the continuing education requirements of the Utah State Bar;

68 and

69 (III) if requested by the department, provides the department evidence that the title  
70 insurance producer complied with the continuing education requirements of the Utah State 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 licensee is exempt from continuing education  
74 requirements under this section if:

75 (A) the licensee was first licensed before April 1, 1970;

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 is  
79 not required to apply again for the exemption.

80 (e) In accordance with Title 63, Chapter 46a, 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 continuing education providers and professional producer or consultant

86 associations to:

87 (A) offer qualified programs for all license types and lines of authority on a  
88 geographically accessible basis; and

89 (B) collect reasonable fees for funding and administration of the continuing education  
90 program, subject to the review and approval of the commissioner.

91 (iii) The fees permitted under Subsection (3)(e)(ii)(B) that are charged for attendance at  
92 a professional producer or consultant association program may be less for an association  
93 member, based on the member's affiliation expense, but shall preserve the right of a  
94 nonmember to attend without affiliation.

95 (4) The commissioner shall approve continuing education providers and continuing  
96 education courses [~~which~~] that satisfy the requirements of this section.

97 (5) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
98 commissioner shall by rule set the processes and procedures for continuing education provider  
99 registration and course approval.

100 (6) The requirements of this section apply only to producers or consultants who are  
101 natural persons.

102 (7) A nonresident producer or consultant is considered to have satisfied this state's  
103 continuing education requirements if the nonresident producer or consultant satisfies the  
104 nonresident producer's or consultant's home state's continuing education requirements for a  
105 licensed insurance producer or consultant.

106 (8) A producer or consultant subject to this section shall keep documentation of  
107 completing the continuing education requirements of this section for two years after the end of  
108 the two-year licensing period to which the continuing education applies.

109 Section 2. Section **31A-26-206** is amended to read:

110 **31A-26-206. Continuing education requirements.**

111 (1) [~~The~~] Pursuant to this section, the commissioner shall by rule prescribe continuing  
112 education requirements for each class of license under Section 31A-26-204.

113 (2) (a) The commissioner shall impose continuing education requirements in

114 accordance with a two-year licensing period in which the licensee meets the requirements of  
115 this Subsection (2).

116 (b) (i) Except as provided in Subsection (2)(b)(iii), the continuing education  
117 requirements shall require:

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

120 (B) that three of the 24 credit hours described in Subsection (2)(b)(i)(A) be ethics  
121 courses; and

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

124 (ii) The hours not completed through classroom hours in accordance with Subsection  
125 (2)(b)(i)(C) may be obtained through:

126 (A) home study;

127 (B) video recording;

128 (C) experience credit; or

129 (D) other methods provided by rule.

130 (iii) Notwithstanding Subsections (2)(b)(i)(A) and (B), a title insurance adjuster is  
131 required to complete 12 credit hours of continuing education for every two-year licensing  
132 period, with three of the credit hours being ethics courses.

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

135 (d) (i) Beginning May 3, 1999, a licensee is exempt from the continuing education  
136 requirements of this section if:

137 (A) the licensee was first licensed before April 1, 1970;

138 (B) the licensee requests an exemption from the department; and

139 (C) the department approves the exemption.

140 (ii) If the department approves the exemption under Subsection (2)(d)(i), the licensee is  
141 not required to apply again for the exemption.

142 (e) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
143 commissioner shall by rule:

144 (i) publish a list of insurance professional designations whose continuing education  
145 requirements can be used to meet the requirements for continuing education under Subsection  
146 (2)(b); and

147 (ii) authorize professional adjuster associations to:

148 (A) offer qualified programs for all classes of licenses on a geographically accessible  
149 basis; and

150 (B) collect reasonable fees for funding and administration of the continuing education  
151 programs, subject to the review and approval of the commissioner.

152 (f) (i) The fees permitted under Subsection (2)(e)(ii)(B) that are charged to fund and  
153 administer a program shall reasonably relate to the costs of administering the program.

154 (ii) Nothing in this section shall prohibit a provider of continuing education programs  
155 or courses from charging fees for attendance at courses offered for continuing education credit.

156 (iii) The fees permitted under Subsection (2)(e)(ii)(B) that are charged for attendance  
157 at an association program may be less for an association member, based on the member's  
158 affiliation expense, but shall preserve the right of a nonmember to attend without affiliation.

159 (3) The requirements of this section apply only to licensees who are natural persons.

160 (4) The requirements of this section do not apply to members of the Utah State Bar.

161 (5) The commissioner shall designate courses that satisfy the requirements of this  
162 section, including those presented by insurers.

163 (6) A nonresident adjuster is considered to have satisfied this state's continuing  
164 education requirements if:

165 (a) the nonresident adjuster satisfies the nonresident producer's home state's continuing  
166 education requirements for a licensed insurance adjuster; and

167 (b) on the same basis the nonresident adjuster's home state considers satisfaction of  
168 Utah's continuing education requirements for a producer as satisfying the continuing education  
169 requirements of the home state.

170           (7) A licensee subject to this section shall keep documentation of completing the  
171 continuing education requirements of this section for two years after the end of the two-year  
172 licensing period to which the continuing education requirement applies.