

1st Sub. H.B. 402
REGULATORY WAIVER PROCESS

Representative **Adam Robertson** proposes the following amendments:

1. *Page 4, Lines 92 through 103:*

92 in the state to test an innovative insurance product or service without obtaining a license or
93 other authorization that might otherwise be required; {~~and~~}

94 (c) may enter into agreements with or follow the best practices of the Consumer
95 Financial Protection Bureau or other states that are administering similar programs {~~.~~} ; and

(d) may not approve participation in the insurance regulatory sandbox program by an applicant or any other participant who has been convicted, entered a plea of nolo contendere, or entered a plea of guilty or nolo contendere held in abeyance, for a crime:

(i) involving theft, fraud, or dishonesty, or

(ii) that bears a substantial relationship to the applicant's or participant's ability to safely or competently participate in the insurance regulatory sandbox program.

96 (3) An applicant for the insurance regulatory sandbox shall provide to the department
97 an application in a form prescribed by the department that:

98 (a) includes a nonrefundable application fee of \$4,500;

99 (b) demonstrates the applicant is subject to the jurisdiction of the state;

100 ~~{(c) demonstrates the applicant has established a physical location in the state, from~~
101 ~~which testing will be developed and performed and where all required records, documents, and~~
102 ~~data will be maintained;}~~ =

(c) demonstrates the applicant has established a physical or virtual location that is adequately accessible to the department, from which testing will be developed and performed and where all required records, documents, and data will be maintained;

103 (d) contains relevant personal and contact information for the applicant, including legal

2. *Page 5, Lines 136 through 139:*

136 research that the department determines is necessary, including:

137 (a) proof of sufficient assets, accounts, {~~and~~} liability coverage , surety bond coverage, or
other preparation by the applicant to ensure

138 that consumers are protected and that the applicant will be able to cover ongoing duties when

139 the test ends or if the test ends early; and

3. *Page 8, Lines 213 through 214:*

213 sandbox at any time and for any reason.

(9) No guaranty association in the state may be held liable for business losses or liabilities incurred as a result of activities undertaken by a participant in the insurance sandbox.

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Section 5. Section **31A-47-105** is enacted to read: