

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1123

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to amend and reenact ~~sections~~section 26.1-01-07 ~~and~~, subsection 3 of section  
2 26.1-01-07.1, section 26.1-26-13.4, subsection 4 of section 26.1-26.8-04, subdivision b of  
3 subsection 1 of section 26.1-26.8-05, subdivision a of subsection 1 of section 26.1-26.8-06,  
4 subdivision b of subsection 1 of section 26.1-26.8-09, subdivision b of subsection 2 of section  
5 26.1-26.8-09, and subsections 2 and 4 of section 26.1-27-03 of the North Dakota Century Code,  
6 relating to fees charged by the insurance commissioner and the insurance regulatory trust fund.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Section 26.1-01-07 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **26.1-01-07. Fees chargeable by commissioner.**

- 11 1. The commissioner shall charge and collect the following fees:
- 12 a. For filing articles of incorporation, or copies, or amendments thereof,  
13 ~~twenty-five~~fifty dollars.
- 14 b. For each original certificate of authority issued upon admittance and for each  
15 annual renewal thereof, ~~one hundred~~seven one hundred fifty dollars and for  
16 amendment to certificate of authority, or certified copy thereof, ~~fifty~~one hundred  
17 dollars. For each annual renewal for county mutuals, one hundred fifty dollars.
- 18 c. For issuing an annual reciprocal exchange license, the same fees as those  
19 applicable to the issuance of a certificate of authority in subsection 2.
- 20 d. For filing an annual report of a fraternal benefit society, and issuing a license or  
21 permit to the society, and for each renewal thereof, one hundred dollars.

Sixty-ninth  
Legislative Assembly

- 1           o. For each company application for admission, five hundred dollars, except  
2           applications for admission for county mutual, fraternal benefit, and surplus lines  
3           companies must be one hundred dollars.
- 4           p. For issuing a license and each annual renewal of a license to an insurance  
5           premium finance company, one hundred dollars.
- 6           q. For examining or investigating an insurance premium finance company, the  
7           actual expense and per diem incurred; but the per diem charge may not exceed  
8           fifty dollars.
- 9           r. For issuing and each annual renewal of a license to an advisory organization, fifty  
10          dollars.
- 11          s. For filing an individual insurance producer licensing continuation, twenty-five  
12          dollars.
- 13          t. For services provided by the state fire marshal.
- 14          u. For an initial application for multiple employer welfare arrangements, five  
15          hundred dollars. For each annual renewal, one hundred dollars.
- 16          v. For an initial application for a life settlement provider, one hundred dollars. For  
17          each annual renewal, twenty-five dollars.
- 18          w. For a life settlement broker application, an initial broker license fee of  
19          one hundred dollars. For each annual renewal, twenty-five dollars.
- 20          x. For issuing an individual resident or nonresident public adjuster license,  
21          one hundred dollars. For each biennial renewal, twenty-five dollars.
- 22          y. For issuing a business entity public adjuster license, one hundred dollars. For  
23          each biennial renewal, twenty-five dollars.
- 24          z. For issuing a license or certificate for a life or health insurance administrator, two  
25          hundred fifty dollars. For each annual renewal, one hundred dollars.
- 26          2. Nonprofit health service corporations and health maintenance organizations are  
27          subject to the same fees as any other insurance company. County mutual insurance  
28          companies and benevolent societies are liable only for the fees mentioned in  
29          subdivisions b, f, g, ~~and h,~~ and n of subsection 1.
- 30          3. ~~However, the commissioner may, after public notice and hearing, increase the fees~~  
31          ~~authorized by this section for any year if it is determined necessary to generate the~~

- 1           b. Has paid the nonresident licensing fee, ~~not to exceed one hundred dollars,~~  
2           ~~prescribed by the commissioner~~ prescribed in section 26.1-01-07.

3           **SECTION 6. AMENDMENT.** Subdivision a of subsection 1 of section 26.1-26.8-06 of the  
4 North Dakota Century Code is amended and reenacted as follows:

- 5           a. Has paid the business entity licensing fee, ~~not to exceed fifty dollars,~~ ~~prescribed~~  
6           ~~by the commissioner~~ prescribed in section 26.1-01-07; and

7           **SECTION 7. AMENDMENT.** Subdivision b of subsection 1 of section 26.1-26.8-09 of the  
8 North Dakota Century Code is amended and reenacted as follows:

- 9           b. To renew a license, a licensed resident public adjuster and a licensed  
10           nonresident public adjuster shall file a biennial license continuation in the form  
11           and manner prescribed by the commissioner and pay a fee ~~of twenty five~~  
12           ~~dollars~~ as prescribed in section 26.1-01-07. The commissioner shall give a  
13           licensee at least sixty days' notice of the biennial license continuation filing  
14           deadline. A resident public adjuster or a nonresident public adjuster who allows  
15           the license to lapse may, within the twelve-month period immediately following  
16           the expiration date, reinstate the same license without the necessity of passing a  
17           written examination, upon payment of a reinstatement fee, ~~not to exceed one~~  
18           ~~hundred twenty five dollars,~~ ~~prescribed by the commissioner in addition to the~~  
19           ~~renewal fee.~~

20           **SECTION 8. AMENDMENT.** Subdivision b of subsection 2 of section 26.1-26.8-09 of the  
21 North Dakota Century Code is amended and reenacted as follows:

- 22           b. To renew a license, a licensed business entity public adjuster shall file a biennial  
23           license continuation in the form and manner prescribed by the commissioner and  
24           pay a fee as prescribed in section 26.1-01-07.

25           **SECTION 9. AMENDMENT.** Subsections 2 and 4 of section 26.1-27-03 of the North Dakota  
26 Century Code are amended and reenacted as follows:

- 27           2. All applications must be accompanied by a filing fee ~~of one hundred dollars~~ as  
28           prescribed in section 26.1-01-07.  
29           4. The administrator shall pay an annual renewal fee ~~of fifty dollars~~ as prescribed in  
30           section 26.1-01-07 to maintain the certificate.