

**PROPOSED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R078-20

July 1, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~(omitted material)~~ is material to be omitted.

AUTHORITY: §1, NRS 679B.130, 683A.251 and 683C.030; §2, NRS 679B.130, 683A.241 and 683C.030; §3, NRS 679B.130 and 685A.120; §4, NRS 679B.130, 692A.090 and 692A.100; §5, NRS 679B.130, 692A.090, 692A.100 and 692A.1033; §6, NRS 679B.130, 692A.090, 692A.100 and 692A.103; §§7 and 8, NRS 679B.130, 695J.110 and 695J.270.

A REGULATION relating to insurance; revising certain provisions concerning courses of instruction and examinations for certain licenses and certificates; establishing procedures concerning the duration, expiration and renewal of a license as a title agent; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain applicants for a license as a producer of insurance or insurance consultant to successfully complete a course of instruction and pass a written examination prescribed by the Commissioner of Insurance. (NRS 683A.241, 683A.251, 683C.030). **Section 1** of this regulation revises a requirement of existing regulations concerning completion of the course of instruction and requires instead that an applicant attest to his or her successful completion of the course of instruction before taking the appropriate examination. **Section 2** of this regulation revises provisions of existing regulations concerning the score that an applicant is required to attain on the examination.

Existing law requires an applicant for a license as a surplus lines broker to successfully complete an examination on the subject prescribed by the Commissioner. (NRS 685A.120) **Section 3** of this regulation establishes the score that the applicant is required to attain on the examination.

Existing law requires the Commissioner to provide by regulation for the licensing of title agents and escrow officers. (NRS 692A.100) Under existing regulations, a person who wishes to obtain a license as a title agent is required to have at least 1 year of recent experience relating to title insurance. (NAC 692A.055) **Section 5** of this regulation allows a person to also obtain a license if he or she passes an examination on the subject of title insurance prescribed by the Commissioner. **Section 5** also establishes the score that the person must attain on the

examination. **Section 4** of this regulation establishes various provisions concerning the duration, expiration and renewal of a license as a title agent.

Existing law requires a person who wishes to obtain a license as an escrow officer to have at least 1 year of recent experience with respect to escrows or to pass a written examination concerning escrows prescribed by the Commissioner. (NRS 692A.103) Existing regulations establish the proof of relevant experience that an applicant for a license must submit to the Commissioner. (NAC 692A.060) **Section 6** of this regulation establishes the proof concerning the successful completion of the examination that an applicant must submit to the Commissioner.

Existing law requires an applicant for initial certification as an exchange enrollment facilitator to successfully complete a course of instruction and pass a written examination. (NRS 695J.110) **Section 7** of this regulation revises a requirement of existing regulations concerning completion of the course of instruction and requires instead that an applicant attest to his or her successful completion of the course of instruction before taking the appropriate examination. **Section 8** of this regulation revises a provision of existing regulations concerning the score that an applicant is required to attain on the examination.

Section 1. NAC 683A.180 is hereby amended to read as follows:

683A.180 In addition to the requirements of chapter 683A of NRS, an applicant for a license to act as a producer of insurance or an insurance consultant for:

1. Life insurance, including annuities;
2. Accident and health insurance;
3. Property insurance;
4. Casualty insurance;
5. Personal lines; or
6. Any combination of those types of insurance,

↪ must ~~complete, with a final grade of at least 70 percent,~~ *attest that he or she has successfully completed* a course of instruction approved by the Commissioner for the line of insurance for which he or she is applying for a license ~~[-The course must have been completed]~~ within the 2 years immediately preceding the date of the application for the license. *The*

applicant must provide his or her attestation before taking the appropriate licensing examination.

Sec. 2. NAC 683A.270 is hereby amended to read as follows:

683A.270 An applicant for a license as a producer of insurance or an insurance consultant who is required to complete an examination for licensure must attain ~~{an adjusted}~~ a score of ~~{80}~~ 70 or more ~~{points}~~ on the appropriate licensing examination to pass the examination. The examination must have been successfully completed within ~~{the 2 years}~~ 1 year immediately preceding the date of application for the license.

Sec. 3. Chapter 685A of NAC is hereby amended by adding thereto a new section to read as follows:

An applicant for a license as a broker must attain a score of 70 or more on any examination on the subject of surplus lines prescribed by the Commissioner pursuant to NRS 685A.120. The examination must have been successfully completed within 1 year immediately preceding the date of application for the license.

Sec. 4. Chapter 692A of NAC is hereby amended by adding thereto a new section to read as follows:

1. A license as a title agent issued pursuant to this chapter and chapter 692A of NRS continues in force for 3 years unless it is suspended, revoked or otherwise terminated. The license may be renewed upon submission of the statement required pursuant to NRS 692A.1033 and payment of all applicable fees for renewal to the Commissioner on or before the last day of the month in which the license is renewable.

2. A license which is not renewed expires at midnight on the last day specified on the license for the renewal. The Commissioner may accept a request for renewal received by the

Commissioner within 30 days after the expiration of the license if the request is accompanied by the statement required pursuant to NRS 692A.1033 and a fee for renewal of 150 percent of all applicable fees otherwise required, except for any fee required pursuant to NRS 680C.110.

Sec. 5. NAC 692A.055 is hereby amended to read as follows:

692A.055 1. A person who wishes to obtain a license as a title agent must ~~have~~ :

(a) Have at least 1 year of recent experience relating to title insurance of a nature sufficient to allow the person to fulfill the responsibilities of a title agent ~~H~~ ; *or*

(b) Attain a score of 70 or more on an examination on the subject of title insurance prescribed by the Commissioner within 1 year immediately preceding the date of the application of the person for the license.

2. Except as otherwise provided in subsection 3, an applicant for a license as a title agent must submit to the Commissioner proof of the experience required by this section in the form of a statement from each employer with whom the applicant claims to have obtained the experience. Each statement must be signed and attested to by the employer and include:

- (a) The name and address of the employer;
- (b) The name and title of the immediate supervisor of the applicant, if any;
- (c) A description of the duties and responsibilities of the applicant during his or her employment and their relation to title insurance;
- (d) The period during which the applicant fulfilled those duties and responsibilities; and
- (e) The reason the applicant left the employment of his or her employer.

3. An applicant may submit any other form of proof of his or her experience that is satisfactory to the Commissioner.

Sec. 6. NAC 692A.060 is hereby amended to read as follows:

692A.060 1. Except as otherwise provided in subsection 2, a person applying for a license as an escrow officer must submit to the Commissioner proof of the experience required by NRS 692A.103 in the form of a statement from each person who employed him or her within the 2 years immediately preceding the date of the application and from whom the person applying for the escrow officer's license claims to have obtained such experience. Each statement must be signed and attested to by the employer and must include:

- (a) The name and address of the employer of the person applying for the license;
- (b) The name and title of the immediate supervisor of that person, if any;
- (c) A description of the duties and responsibilities of that person while so employed and their relation to escrow;
- (d) The period during which that person fulfilled those duties and responsibilities; and
- (e) The reason that person left the employment of his or her employer.

2. An applicant may submit any other form of proof of his or her experience that is satisfactory to the Commissioner.

3. An applicant may submit proof that he or she has attained a score of 70 or more on an examination on the subject of escrows prescribed by the Commissioner pursuant to NRS 692A.103. The examination must have been completed within 1 year immediately preceding the date of the application for the license.

Sec. 7. NAC 695J.100 is hereby amended to read as follows:

695J.100 In addition to the requirements of chapter 695J of NRS, an applicant for a certificate as an exchange enrollment facilitator must ~~complete, with a final grade of at least 70 percent,~~ *attest that he or she has successfully completed* a precertification course of instruction approved by the Commissioner ~~[-. The precertification course must have been completed]~~ within

1 year immediately preceding the date of the application for the certificate. *The applicant must provide his or her attestation before taking the appropriate certification examination.*

Sec. 8. NAC 695J.210 is hereby amended to read as follows:

695J.210 An applicant for a certificate as an exchange enrollment facilitator must attain ~~an~~ ~~adjusted~~ *a* score of ~~80~~ *70* or more points on the appropriate certification examination to pass the examination. The examination must have been successfully completed within 1 year immediately preceding the date of application for the certificate.