



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB1128

Introduced 02/07/11, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/1520  
215 ILCS 5/1535

Amends the Illinois Insurance Code. Provides that the Director of Insurance is authorized to require fingerprints of applicants for licensing and renewal applicants (now, applicants). Provides that an individual who applies for a public adjuster license who was previously licensed as a public adjuster in another state based on a public adjuster examination shall not be required to complete any examination (instead of any prelicensing education). Effective immediately.

LRB097 06594 RPM 46679 b

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by  
5 changing Sections 1520 and 1535 as follows:

6 (215 ILCS 5/1520)

7 Sec. 1520. Application for license.

8 (a) A person applying for a public adjuster license shall  
9 make application to the Director on the appropriate uniform  
10 application or other application prescribed by the Director.

11 (b) The applicant shall declare under penalty of perjury  
12 and under penalty of refusal, suspension, or revocation of the  
13 license that the statements made in the application are true,  
14 correct, and complete to the best of the applicant's knowledge  
15 and belief.

16 (c) In order to make a determination of license  
17 eligibility, the Director is authorized to require  
18 fingerprints of applicants for licensing and renewal  
19 applicants and submit such fingerprints and the fee required to  
20 perform the criminal history record checks to the Illinois  
21 State Police and the Federal Bureau of Investigation (FBI) for  
22 State and national criminal history record checks.

23 (d) The Director may adopt rules to establish procedures

1 necessary to carry out the requirements of subsection (c) of  
2 this Section.

3 (e) The Director is authorized to submit electronic  
4 fingerprint records and necessary identifying information to  
5 the NAIC, its affiliates, or subsidiaries for permanent  
6 retention in a centralized repository. The purpose of such a  
7 centralized repository is to provide Directors with access to  
8 fingerprint records in order to perform criminal history record  
9 checks.

10 (f) Until such time as the Director can obtain and receive  
11 national criminal history records, the applicant shall obtain a  
12 copy of his or her fingerprints and complete criminal history  
13 record from the FBI Criminal Justice Information Services  
14 Division and the Illinois State Police and provide such  
15 information to the Department of Insurance.

16 (Source: P.A. 96-1332, eff. 1-1-11.)

17 (215 ILCS 5/1535)

18 Sec. 1535. Exemptions from examination.

19 (a) An individual who applies for a public adjuster license  
20 in this State who was previously licensed as a public adjuster  
21 in another state based on a public adjuster examination shall  
22 not be required to complete any examination ~~prelicensing~~  
23 ~~education~~. This exemption is only available if (i) the person  
24 is currently licensed in that state or if the application is  
25 received within 12 months of the cancellation of the

1 applicant's previous license; and (ii) if the prior state  
2 issues a certification that, at the time of cancellation, the  
3 applicant was in good standing in that state or the state's  
4 producer database records or records maintained by the NAIC,  
5 its affiliates, or subsidiaries, indicate that the public  
6 adjuster is or was licensed in good standing.

7 (b) A person licensed as a public adjuster in another state  
8 based on a public adjuster examination who moves to this State  
9 shall submit an application within 90 days of establishing  
10 legal residence to become a resident licensee pursuant to  
11 Section 1525 of this Article. No prelicensing examination shall  
12 be required of that person to obtain a public adjuster license.

13 (c) An individual who applies for a public adjuster license  
14 in this State who was previously licensed as a public adjuster  
15 in this State shall not be required to complete any  
16 prelicensing examination. This exemption is only available if  
17 the application is received within 12 months of the  
18 cancellation of the applicant's previous license in this State  
19 and if, at the time of cancellation, the applicant was in good  
20 standing in this State.

21 (Source: P.A. 96-1332, eff. 1-1-11.)

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.