

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 and adding Section 500-155 as
6 follows:

7 (215 ILCS 5/500-155 new)

8 Sec. 500-155. Disclosure. A policy the solicitation of
9 which involves an insurance producer, limited insurance
10 representative, or temporary insurance producer must identify
11 the name of the producer, representative, or firm. An
12 individual life or accident and health application and a master
13 policy application for life or accident and health group
14 coverages must bear the name and signature of the licensee who
15 solicited and wrote the application.

16 (215 ILCS 5/1520)

17 Sec. 1520. Application for license.

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

21 (b) The applicant shall declare under penalty of perjury
22 and under penalty of refusal, suspension, or revocation of the

1 license that the statements made in the application are true,
2 correct, and complete to the best of the applicant's knowledge
3 and belief.

4 (c) In order to make a determination of license
5 eligibility, the Director is authorized to require all
6 applicants for licensing, including renewal applicants, to
7 undergo a fingerprint-based criminal history record check for
8 the first year following the effective date of this amendatory
9 Act of the 97th General Assembly. The fingerprints and the fee
10 required to perform the criminal history record checks shall be
11 submitted to the Department of State Police and the Federal
12 Bureau of Investigation (FBI) to conduct a State and national
13 criminal history record check. The Department of State Police
14 and the Federal Bureau of Investigation shall furnish to the
15 Department of Insurance all records of convictions, unless or
16 until expunged, pursuant to the fingerprint-based criminal
17 history records check. The Department of State Police shall
18 charge a fee for conducting such checks, which fee shall be
19 deposited into the State Police Services Fund and shall not
20 exceed the cost of the inquiry. The applicant shall be required
21 to pay all fees associated with conducting the criminal history
22 record check. In order to make a determination of license
23 eligibility, the Director is authorized to require
24 fingerprints of applicants and submit such fingerprints and the
25 fee required to perform the criminal history record checks to
26 the Illinois State Police and the Federal Bureau of

1 ~~Investigation (FBI) for State and national criminal history~~
2 ~~record checks.~~

3 (d) The Director may adopt rules to establish procedures
4 necessary to carry out the requirements of subsection (c) of
5 this Section.

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

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

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

20 (215 ILCS 5/1535)

21 Sec. 1535. Exemptions from examination.

22 (a) An individual who applies for a public adjuster license
23 in this State who was previously licensed as a public adjuster
24 in another state based on a public adjuster examination shall
25 not be required to complete any examination ~~prelicensing~~

1 ~~education~~. This exemption is only available if (i) the person
2 is currently licensed in that state or if the application is
3 received within 12 months of the cancellation of the
4 applicant's previous license; and (ii) if the prior state
5 issues a certification that, at the time of cancellation, the
6 applicant was in good standing in that state or the state's
7 producer database records or records maintained by the NAIC,
8 its affiliates, or subsidiaries, indicate that the public
9 adjuster is or was licensed in good standing.

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

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

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.