



General Assembly

Amendment

February Session, 2014

LCO No. 5668

SB0048005668HDO

Offered by:

REP. MEGNA, 97th Dist.
REP. SAMPSON, 80th Dist.
SEN. KELLY, 21st Dist.
SEN. CRISCO, 17th Dist.

To: Senate Bill No. 480

File No. 395

Cal. No. 528

"AN ACT CONCERNING LIFE INSURANCE PRODUCER LICENSES AND REGISTRATIONS OF BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS AND INVESTMENT ADVISER AGENTS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2014*) (a) The Banking
4 Commissioner shall provide monthly to the Insurance Commissioner,
5 in a form and manner agreed upon by said commissioners, a list of the
6 names and corresponding Social Security numbers of broker-dealers,
7 agents associated with a broker-dealer or an issuer, investment
8 advisers and investment adviser agents, as such terms are defined in
9 section 36b-3 of the general statutes, (1) who are currently registered
10 with the Banking Commissioner, and (2) who have had their
11 registrations denied, suspended or revoked pursuant to section 36b-15

12 of the general statutes during the preceding ten years. The list under
13 subdivision (2) of this subsection shall include the reason for such
14 denial, suspension or revocation.

15 (b) (1) The Insurance Commissioner shall determine whether any
16 applicant for an insurance producer license who submits such
17 application on or after October 1, 2014, or any currently licensed
18 insurance producer is included in the list set forth in subdivision (2) of
19 subsection (a) of this section.

20 (2) (A) If the Insurance Commissioner determines that an applicant
21 for an insurance producer license is included in the list under
22 subdivision (2) of subsection (a) of this section, said commissioner
23 shall consider, in addition to the grounds for denial of a license set
24 forth in section 38a-702k of the general statutes, the denial, suspension
25 or revocation of such applicant's registration under section 36b-15 of
26 the general statutes in determining whether to grant such license.
27 Notwithstanding the provisions of subsection (a) of section 38a-702e of
28 the general statutes, subsection (a) of section 38a-702f of the general
29 statutes or subsection (a) of section 38a-702g of the general statutes,
30 said commissioner may deny such application if said commissioner
31 determines such applicant is not properly qualified or trustworthy and
32 that granting such license is against the public interest.

33 (B) If such application is denied, the Insurance Commissioner shall
34 notify the applicant and advise, in writing, the applicant of the reason
35 for the denial of the applicant's license. The applicant may make
36 written demand upon said commissioner, not later than thirty days
37 after the applicant receives such notice, for a hearing before said
38 commissioner to determine the reasonableness of said commissioner's
39 action. The hearing shall be held in accordance with section 38a-19 of
40 the general statutes.

41 (C) An individual aggrieved by a final order or decision of the
42 Insurance Commissioner in denying an insurance producer license
43 under this section may appeal therefrom in accordance with the

44 provisions of section 4-183 of the general statutes, except venue for
45 such appeal shall be in the judicial district of New Britain.

46 (3) (A) If the Insurance Commissioner determines that a licensed
47 insurance producer is included in the list under subdivision (2) of
48 subsection (a) of this section, said commissioner shall consider, if the
49 denial, suspension or revocation of such licensee's registration under
50 section 36b-15 of the general statutes was not previously known to said
51 commissioner, whether such denial, suspension or revocation, in
52 addition to the grounds for nonrenewal, suspension or revocation of a
53 license set forth in section 38a-702k of the general statutes, materially
54 affects the qualifications or trustworthiness of such licensee. Said
55 commissioner shall, after reasonable notice to such licensee, hold a
56 hearing to make such determination. Said commissioner may
57 nonrenew, suspend or revoke an insurance producer license of such
58 licensee if said commissioner determines such licensee is not qualified
59 or trustworthy and that renewing or continuing such license is against
60 the public interest.

61 (B) If such license is nonrenewed, suspended or revoked, the
62 Insurance Commissioner shall notify the licensee and advise, in
63 writing, the licensee of the reason for such nonrenewal, suspension or
64 revocation. An individual aggrieved by an order or decision of said
65 commissioner in nonrenewing, suspending or revoking a life insurance
66 producer license under this section may appeal therefrom in
67 accordance with the provisions of section 4-183 of the general statutes,
68 except venue for such appeal shall be in the judicial district of New
69 Britain.

70 Sec. 2. (NEW) (*Effective October 1, 2014*) Notwithstanding the
71 provisions of subsection (a) of section 38a-702e of the general statutes,
72 subsection (a) of section 38a-702f of the general statutes or subsection
73 (a) of section 38a-702g of the general statutes, in addition to the
74 grounds for denial of an insurance producer's license set forth in
75 section 38a-702k of the general statutes, the Insurance Commissioner
76 may deny an application for an insurance producer license if said

77 commissioner determines such applicant is not properly qualified or
78 trustworthy and that granting such license is against the public
79 interest. The provisions of subsection (b) of section 38a-702k of the
80 general statutes shall apply to any such denial."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	New section