

304.9-260 Continuation and expiration of license -- Receipt of renewal fees -- Continuing education documentation.

- (1) Each license issued under this subtitle, surplus lines broker license, life settlement broker license, and life settlement provider license shall continue in force until expired, suspended, revoked, or otherwise terminated. License renewal fees shall be received on or before the applicable due date for the license as stated in KRS 304.4-010. Beginning January 1, 2003, request for renewal shall be on a form or in a format prescribed by the commissioner and made as follows:
 - (a) At least thirty (30) days before the renewal request and fees are due from the licensee, the department shall make available to each respective licensee a list of his or her licenses to be renewed during that calendar year. With the licensee's written consent, an insurer or the licensee's employer may request that the department send the renewal list to the insurer or to the employer. The department may distribute the renewal list to the requesting insurer or employer instead of to the licensee;
 - (b) In conjunction with license renewal, an individual holding a resident license for agent, independent or public adjuster, and life settlement broker shall show proof of compliance with continuing education pursuant to KRS 304.9-295. An individual licensee whose birth date is in an even-numbered year shall submit the renewal request, continuing education course completion documentation pursuant to KRS 304.9-295, and fees to the commissioner by the last day of the licensee's birth month in the next even-numbered year after the date the license is issued, and each subsequent even-numbered year thereafter;
 - (c) In conjunction with license renewal, an individual holding a resident license for agent, independent or public adjuster, and life settlement broker shall show proof of compliance with continuing education pursuant to KRS 304.9-295. An individual licensee whose birth date is in an odd-numbered year shall submit the renewal request, continuing education course completion documentation pursuant to KRS 304.9-295, and fees to the commissioner by the last day of the licensee's birth month in the next odd-numbered year after the date the license is issued, and each subsequent odd-numbered year thereafter;
 - (d) A business entity that is issued a license in an even-numbered year shall submit the renewal request and fees to the commissioner by March 31 of the next even-numbered year, and each subsequent even-numbered year thereafter; and
 - (e) A business entity that is issued a license in an odd-numbered year shall submit the renewal request and fees to the commissioner by March 31 of the next odd-numbered year, and each subsequent odd-numbered year thereafter.
- (2) (a) Any license referred to in subsection (1) of this section for which the request for renewal, any required continuing education course completion documentation, if applicable, and fee are not received by the commissioner shall be deemed to have expired at midnight on the last day of the birth month for individuals and on March 31 for business

entities;

- (b) Any renewal request and fees received by the commissioner within sixty (60) days after the date of expiration, may be accepted with no interruption in license if accompanied by a penalty as provided in Subtitle 99 of this chapter; and
 - (c) Completion of the required continuing education course, if applicable, shall be on or before the expiration date, which is deemed as the last day of the birth month of the licensee during the applicable odd or even year on a biennial basis. Proof of compliance shall be received by the commissioner within sixty (60) days after the expiration date.
- (3) A licensee who is unable to comply with license renewal procedures due to military service, long-term medical disability, or some other extenuating circumstance may make a written request for a waiver of those procedures. The licensee may also make a written request for a waiver of any examination requirement, fine, or other sanction imposed for failure to comply with these renewal procedures.
 - (4) As a condition to or in connection with the continuation of any insurance producer license, the commissioner may require the licensee to file with him or her information relative to use made of the license during the next preceding calendar year and especially as to whether the license has been used principally for the writing of controlled business, as defined in KRS 304.9-100.
 - (5) As a condition to or in connection with the continuation of any license, the commissioner shall require continuous demonstration of continuing education course completion to sustain the license, and any license shall terminate and be surrendered to the commissioner if and when the demonstration becomes impaired.
 - (6) This section does not apply to temporary licenses issued under KRS 304.9-300, and licensees not licensed for one (1) full year prior to the end of the applicable biennial renewal year.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1062, effective July 15, 2010; and ch. 83, sec. 6, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 32, sec. 17, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 143, sec. 11, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 273, sec. 25, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 393, sec. 20, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 485, sec. 1, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 320, sec. 13, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 161, sec. 4, effective June 17, 1978. -- Created 1970 Ky. Acts ch. 301, subtit. 9, sec. 26, effective June 18, 1970.

Legislative Research Commission Note (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 83. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 83, which was last enacted by the General Assembly, prevails under KRS 446.250.

Legislative Research Commission Note (7/15/2010). A reference to the "office" of insurance in subsection (1)(a) of this section, as amended by 2010 Ky. Acts ch. 24, sec. 1062, has been changed in codification to the "department" of insurance to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. This change was made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.

