

Amendment to HB 1197-FN

1 Amend RSA 400-A:16, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. Any individual or entity who transacts insurance in this state or is otherwise subject to
4 the authority of the commissioner shall, upon request of the commissioner, provide the commissioner
5 with all documents and information relevant to any investigation under this section within 10
6 working days, or shall request within the 10 working-day period, for good cause shown, additional
7 time to respond. ***Failure to provide all the documents and information or request additional***
8 ***time to respond within 10 working days shall be a violation. The commissioner may by***
9 ***written notice with an effective date 30 days thereafter order the suspension, revocation, or***
10 ***non-renewal of the license of the individual or entity or impose an administrative penalty***
11 ***not to exceed \$5,000 for each violation. The individual or entity may request a hearing***
12 ***pursuant to RSA 400-A:17, III. Any order shall be suspended pending a final decision of the***
13 ***commissioner after the hearing.***

14

15 Amend the bill by replacing sections 2 and 3 with the following:

16

17 2 Annual Financial Statement. RSA 400-A:36, II is repealed and reenacted to read as follows:

18 II. The commissioner may extend the time for filing or transmitting such statement for
19 cause shown for a period of not more than 60 days. Life insurance companies shall not be required
20 to file or transmit that part of their annual statement known as the gain and loss exhibit until the
21 succeeding May 1. The commissioner may impose an administrative fine in an amount not to exceed
22 \$5,000, or refuse to continue, or may suspend or revoke, the certificate of authority of any insurer
23 intentionally failing to file or transmit its annual statement when due. The insurer shall pay the fee
24 for filing or transmitting its annual statement as prescribed by RSA 400-A:29 at the time of filing or
25 transmitting or with the premium tax return, but no later than March 15th.

26 3 Conduct of Examinations. RSA 400-A:37, III(b)(1) is repealed and reenacted to read as
27 follows:

28 (b)(1) Every company or person from whom information is sought, its officers, directors,
29 and agents must provide to the examiners timely, convenient, and free access at all reasonable hours
30 at its offices to all books, records, accounts, papers, documents, and any or all computer or other
31 recordings relating to the property, assets, business, and affairs of the company being examined.
32 The officers, directors, employees, and agents of the company or person must facilitate the

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1 examination and aid in the examination so far as it is in their power to do so. The refusal of any
2 company, by its officers, directors, employees or agents, to submit to examination or the failure to
3 comply with any reasonable written request of the examiners, including those pursuant to RSA 400-
4 B:10, III, shall be grounds for suspension or refusal of, or nonrenewal of any license or authority held
5 by the company to engage in an insurance or other business subject to the commissioner's
6 jurisdiction, or fine. The commissioner may by written notice with an effective date 30 days
7 thereafter order the suspension, revocation or nonrenewal of the license or authority of the
8 individual or entity or impose an administrative penalty not to exceed \$5,000 for each violation. The
9 individual or entity may request a hearing pursuant to RSA 400-A:17, III. Any order shall be
10 suspended pending a final decision of the commissioner after the hearing.

11
12 Amend the bill by replacing section 5 with the following:

13
14 5 Insurance Claims Adjusters; License to Issue. Amend RSA 402-B:7, I to read as follows:

15 I. Upon satisfaction that such applicant is in all respects properly qualified and of good
16 character ***after having considered the good cause factors listed in RSA 402-B:12***, and that the
17 granting of such license is not against the public interest, the commissioner shall, upon the payment
18 of the required fee, issue said applicant an insurance claims adjuster's license.

19
20 Amend RSA 402-B:12, VI as inserted by section 6 of the bill by replacing it with the following:

21
22 VI. Having been convicted of a felony ***or other offense of moral turpitude involving***
23 ***dishonesty, deceit, theft, willful misrepresentation, or which tends to discredit the***
24 ***profession.***

25
26 Amend the bill by replacing sections 7 - 8 with the following:

27
28 7 Public Adjusters; Resident License. Amend RSA 402-D:5, I(b) to read as follows:

29 (b) Has not committed any act that is a ground for ~~denial,~~ ***nonrenewal***, suspension, or
30 revocation of license set forth in RSA 402-D:10 ***which the commissioner determines is against***
31 ***the public interest.***

32 8 Public Adjusters; License. Amend RSA 402-D:9, I to read as follows:

33 I. Unless denied licensure pursuant to RSA ~~[402-D:10]~~ ***402-D:5, I(b)***, persons who have met
34 the requirements of RSA 402-D:5 or RSA 402-D:8 shall be issued a public adjuster license.

35
36 Amend RSA 402-D:10, I(f) as inserted by section 9 of the bill by replacing it with the following:

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1 (f) Having been convicted of a felony, ***or other offense of moral turpitude involving***
2 ***dishonesty, deceit, theft, willful misrepresentation, or which tends to discredit the***
3 ***profession.***

4
5 Amend the bill by replacing sections 10 - 11 with the following:

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7 10 Producer Licensing; Application for License. Amend RSA 402-J:6, I(b) to read as follows:

8 (b) Has not committed any act that is a ground for ~~denial~~ ***nonrenewal***, suspension, or
9 revocation set forth in RSA 402-J:12 ***which the commissioner determines is against the public***
10 ***interest.***

11 11 Producer Licensing. Amend the introductory paragraph of RSA 402-J:7, I to read as follows:

12 I. Unless denied licensure pursuant to RSA [~~402-J:12~~] ***402-J:6, I(b)***, persons who have met
13 the requirements of RSA 402-J:5 and RSA 402-J:6 shall be issued an insurance producer license. An
14 insurance producer may receive qualification for a license in one or more of the following lines of
15 authority:

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17 Amend RSA 402-J:12, I(f) as inserted by section 12 of the bill by replacing it with the following:

18
19 (f) Having been convicted of a felony, ***or other offense of moral turpitude involving***
20 ***dishonesty, deceit, theft, willful misrepresentation, or which tends to discredit the***
21 ***profession.***

22
23 Amend the bill by replacing section 17 with the following:

24
25 17 Public Adjuster; Resident License. Amend the introductory paragraph of RSA 402-D:8, I to
26 read as follows:

27 I. Unless denied licensure pursuant to RSA [~~402-D:10~~] ***402-D:5, I(b)***, a nonresident person
28 shall receive a nonresident public adjuster license if:

29
30 Amend the bill by replacing all after section 20 with the following:

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32 21 Producer Licensing; Nonresident License. Amend the introductory paragraph of RSA 402-
33 J:8, I to read as follows:

34 I. Unless denied licensure pursuant to RSA [~~402-J:12~~] ***402-J:6, I(b)***, a nonresident shall
35 receive a nonresident producer license if:

36 22 Accident and Health Insurance; Student Insurance Policies. Amend the introductory
37 paragraph of RSA 415:19-a to read as follows:

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1 415:19-a Student Insurance Policies.

2 Student major medical expense coverage is hereby declared to be that form of accident and
3 health insurance issued as large group coverage to enrolled students at an accredited college,
4 university, or other educational institution. ***Except for standalone group dental coverage and***
5 ***standalone group vision,*** no coverage other than student major medical expense coverage shall be
6 issued as student large group coverage. Student major medical expense plan coverage shall:

7 23 Continuing Care Communities; Refunds. Amend RSA 420-D:16-b, III to read as follows:

8 III. Payment of the refundable entrance fee shall be subject to any other state and federal
9 laws except that [~~the first \$120,000, or \$240,000 for a couple, of the funds~~] ***an amount equal to the***
10 ***homestead right exemptions pursuant to RSA 480 of the refund*** shall be exempt from
11 attachment by creditors if the original entrance fee was payable from the proceeds of a house sold by
12 the resident in New Hampshire.

13 24 Effective Date. This act shall take effect January 1, 2027.