

# DEPARTMENT OF REGULATORY AGENCIES

## Division of Insurance

### 3 CCR 702-1

#### ADMINISTRATIVE PROCEDURES

##### Emergency Regulation 20-E-04

##### CONCERNING A TEMPORARY CONTINUATION OF PROCEDURES FOR INSURANCE PRODUCER, CASH-BONDING AGENT, AND PROFESSIONAL CASH-BAIL AGENT LICENSE RENEWALS AND A WAIVER OF THE PROCTORING REQUIREMENTS OF REGULATION 1-2-4

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##### **Section 1 Authority**

This emergency regulation is promulgated and adopted by the Commissioner of Insurance under the authority of §§ 10-1-108(7)(a), 10-1-109(1), 10-2-104, 10-2-301, 10-2-408(5), and 10-23-102, C.R.S.

##### **Section 2 Scope and Purpose**

The purpose of this emergency regulation is to waive the proctoring requirements for continuing education exams and to allow for the continuation of license and registration renewal deadlines and associated procedures for license and registration continuation, including continuing education requirements and licensing fees, during the outbreak of Coronavirus (COVID-19) in Colorado.

The Division of Insurance finds, pursuant to § 24-4-103(6)(a), C.R.S., that immediate adoption of this regulation is imperatively necessary for the preservation of public health, safety, or welfare because allowing resident and nonresident licensed insurance producers and agencies, and registered cash-bonding agents and professional cash-bail agents to continue to operate is imperative to preserve the health and welfare of the citizens of Colorado. Therefore, compliance with the requirements of § 24-4-103, C.R.S., would be contrary to the public interest.

##### **Section 3 Applicability**

This regulation shall apply to all current resident and nonresident insurance producers and resident and nonresident insurance agencies authorized to conduct insurance business in the state of Colorado. This regulation shall also apply to all individuals registered as cash-bonding agents or professional cash-bail agents.

##### **Section 4 Definitions**

- A. Commissioner” shall mean, for the purposes of this regulation, the Colorado Commissioner of Insurance.
- B. “Cash-bonding agent” shall have the same meaning as found at § 10-23-101(1), C.R.S.
- C. “Continuing Education” means, for the purposes of this regulation, the requirements found at § 10-2-301, C.R.S.
- D. “Insurance agency” or “business entity” shall have the same meaning as found at § 10-2-103(5), C.R.S.
- E. “Insurance producer” or “producer” shall have the same meaning as found at § 10-2-103(6), C.R.S.
- F. “License” means, for the purposes of this regulation, any type of license regulated by the Colorado Division of Insurance.
- G. “Licensing fees” means, for the purposes of this regulation, the requirements found at § 10-2-413, C.R.S.
- H. “Professional cash-bail agent” shall have the same meaning as found at § 10-23-101(3), C.R.S.

#### **Section 5      Emergency License Continuation on a Temporary Basis**

- A. Emergency license continuation on a temporary basis for licensed insurance producers.
  - 1. A temporary continuation of license renewal deadlines and associated procedures, including continuing education requirements and licensing fees, is hereby granted for all current resident and nonresident producers, resident and nonresident insurance agencies authorized to conduct insurance business in the state of Colorado.
  - 2. The emergency license continuation shall remain in effect until otherwise ordered by the Commissioner.
  - 3. The Commissioner will provide all current resident and nonresident producers, resident and nonresident insurance agencies, affected by the temporary continuation sixty (60) days notice to come into compliance with associated procedures prior to expiration of the emergency license continuation.
- B. Emergency registration continuation on a temporary basis for cash-bonding agents and professional cash-bail agents.
  - 1. A temporary continuation of registration renewal deadlines and procedures is hereby granted for all cash-bonding agents and professional cash-bail agents.
  - 2. The emergency registration continuation shall remain in effect until otherwise ordered by the Commissioner.
  - 3. The Commissioner will provide all current cash-bonding agents and professional cash-bail agents, affected by the temporary continuation sixty (60) days notice to come into compliance with associated procedures prior to expiration of the emergency license continuation.

#### **Section 6      Emergency Waiver of the Continuing Education Proctor Requirements on a Temporary Basis**

The proctoring requirements contained in Colorado Insurance Regulation 1-2-4 Section (5)(c)(1)(d) are waived unless and until otherwise ordered by the Commissioner.

#### **Section 7      Severability**

If any provision of this regulation or the application of it to any person or circumstances is for any reason held to be invalid, the remainder of this regulation shall not be affected.

#### **Section 8      Enforcement**

Noncompliance with this regulation may result in the imposition of any of the sanctions made available in the Colorado statutes pertaining to the business of insurance, or other laws, which include the imposition of civil penalties, issuance of cease and desist orders, and/or suspensions or revocations of licenses, subject to the requirements of due process.

#### **Section 9      Effective Date**

This emergency regulation shall be effective April 2, 2020.

#### **Section 10      History**

Emergency regulation effective April 2, 2020.