**A** **BILL**

TO AMEND CHAPTER 47, TITLE 38 OF THE 1976 CODE RELATING TO INSURANCE ADJUSTERS, BY ADDING SECTION 38‑47‑45, TO PROVIDE FOR A CONTINUING EDUCATION REQUIREMENT FOR LICENSED ADJUSTERS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 47, Title 38 of the 1976 Code is amended by adding:

“Section 38‑47‑45. (A) A person licensed pursuant to the provisions of this chapter shall comply with the provisions of Section 38‑43‑106, with certain exceptions:

(1) Licensed adjusters are required to biennially complete a minimum of fourteen hours of continuing insurance education in order to be eligible for licensure for the following two years. At least two of the fourteen required continuing insurance education hours must be in courses involving ethics or professional responsibility, or both.

(2) A licensed adjuster shall provide evidence of his continuing insurance education status and pay a continuing education recordkeeping fee to the continuing education administrator by April first of the biennial compliance year unless he is granted an extension. Beginning March fifteenth of the compliance year, a licensed adjuster may request in writing a sixty day extension to complete continuing education requirements. The request must be received by the close of business on April first of the compliance year. A licensed adjuster who does not comply with continuing education requirements shall have his license suspended on renewal. In order to reinstate his license, within a sixty day period immediately following the license suspension date, he shall complete three hours of continuing education in addition to the fourteen hours required and pay a reinstatement fee equal to the biennial license fee, in addition to the regular biennial license fee. If continuing education compliance is not met within the sixty day period immediately following the license suspension date, the adjuster’s license must be canceled and remain canceled until that time as the state adjuster licensing examination has been taken and passed with a minimum score of seventy. However, if the reason for license suspension is directly related to nonpayment of the biennial continuing education fee, within the twelve month period immediately following the license suspension date, the adjuster may reinstate his license by paying a penalty fee, not to exceed one hundred fifty dollars to the department for administrative purposes.

(3) A maximum of six credit hours may be carried forward.

(4) In addition to the representatives on the Continuing Education Advisory Committee, pursuant to Section 38‑43‑106, the director may accept nominations for qualified individuals from the South Carolina Claims Association, the Claims Management Association of South Carolina, insurers that are not members of any trade association, or another individual, group, or professional association.

(5) A nonresident adjuster who successfully satisfied continuing insurance education requirements of his resident state is deemed to have met the continuing education requirements of this section as long as certification is provided to the continuing education administrator. However, a nonresident adjuster whose home state does not have continuing education requirements is required to meet the requirements of this section.

(6) A licensed adjuster with a minimum of twenty years of continuous licensure, or with twenty‑five years of active licensure as an adjuster, is only required to take seven hours of continuing education credits biannually.

(B)(1) The director or his designee shall administer these continuing education requirements and shall approve courses of instruction which qualify for these purposes. However, the director may enter into reciprocal agreements with the insurance commissioners of other states regarding the approval of continuing education courses if, in his judgment, the arrangements or agreements are in the best interest of the State and if the courses submitted meet the minimum statutory requirements of this State for course approval. In administering this program, the department may promulgate regulations where an adjuster provides to a continuing education administrator established within the department, proof of compliance with continuing education requirements as a condition of license renewal or, in the alternative, contract with an outside service provider to provide recordkeeping services as the continuing education administrator. The costs of the continuing education administrator must be paid from the continuing insurance education fees paid by an adjuster in the manner provided by this section, except that course approval responsibilities may not be designated to the continuing education administrator. The continuing education administrator shall compile and maintain records reflecting the continuing insurance education status of all licensed or qualified adjusters subject to the requirements of this section. The continuing education administrator shall furnish to each adjuster, a report of the continuing insurance education status.

(2) The department may promulgate regulations prescribing the overall parameters of continuing education requirements, and these regulations authorize the director or his designee to recognize product specific training.

(C) An adjuster’s license is for an indefinite term unless revoked or suspended as long as the provisions of this section are met. A licensed insurance adjuster who is unable to comply with license renewal procedures due to active military service or some other extenuating circumstance such as a long term medical disability may request a waiver of these requirements.”

SECTION 2. This act takes effect upon approval by the Governor.

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