

### **304.9-140 Licensure of nonresidents as agents.**

- (1) Unless denied a license in accordance with KRS 304.9-440, a nonresident individual or business entity shall receive the applicable insurance producer license if:
  - (a) The applicant is currently licensed as a resident and in good standing in his or her home state;
  - (b) The applicant has submitted the proper request for license and has paid the fees required by KRS 304.4-010 and administrative regulations;
  - (c) The applicant has submitted or transmitted to the commissioner the application for a license that the applicant submitted to his or her home state or a completed uniform individual application or uniform business entity application; and
  - (d) The applicant's home state awards nonresident licenses to residents of this state on the same basis.
- (2) The commissioner may verify the applicant's license status through the database maintained by the National Association of Insurance Commissioners, its affiliates, or subsidiaries.
- (3) A nonresident licensee who changes his or her home state to a state other than Kentucky shall file a change of address and provide certification from the new home state within thirty (30) days of the change of home state. No fee or license application is required.
- (4) Notwithstanding any other provisions of this chapter, on or after July 1, 2002, an individual licensed as a surplus lines broker in his or her home state shall receive a nonresident surplus lines broker license by meeting the requirements of subsection (1) of this section. Except as to subsection (1) of this section, nothing in this section otherwise amends or supersedes any provision of Subtitle 10 of this chapter.
- (5) Notwithstanding any other provision of this subtitle, an individual licensed as a limited lines agent in his or her home state shall receive a nonresident limited lines agent license in accordance with subsection (1) of this section, granting the same scope of authority as granted under the license issued by the agent's home state.
- (6) The commissioner shall waive any requirements for a nonresident license applicant with a valid license from his or her home state, except the requirements imposed by subsection (1) of this section, if the applicant's home state awards nonresident licenses to residents of Kentucky on the same basis.
- (7) As a condition to or in connection with the continuation of an insurance producer license issued under this section, the licensee must maintain the applicable license in his or her home state. The insurance producer license issued under this section shall terminate and be surrendered to the commissioner if and when the licensee's applicable home state license terminates for any reason.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1053, effective July 15, 2010. -- Amended 2002 Ky. Acts ch. 273, sec. 18, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 393, sec. 11, effective July 14, 2000. -- Amended 1998 Ky. Acts

ch. 103, sec. 1, effective July 15, 1998. -- Amended 1984 Ky. Acts ch. 322, sec. 5, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 188, sec. 245, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 208, sec. 1, effective June 21, 1974. -- Created 1970 Ky. Acts ch. 301, subtit. 9, sec. 14, effective June 18, 1970.