

The North Dakota Insurance Department is providing the attached document to outline changes that will be effective August 1, 2025 and affect producer licensing.

## **North Dakota Insurance Department: Legislative updates for 2025**

**EFFECTIVE DATE:** August 1, 2025

### **KEY:**

~~Strikethrough in red~~- REMOVAL of verbiage

Underlined means added content

**HB 1087**-Relating to licensing for administrators of life and health insurance and pharmacy benefit managers

- 26.1-27-03-~~Certificate of authority~~ – Removed and replaced with License.
- 26.1-27.1-02- Licensing-~~Certificate of registration~~- Removed and replaced with License.

**HB 1123**- Relating to fees charged by the department

- For filing an annual statement for a life settlement provider- \$100 (was \$25)
- Issuing a surplus lines insurance producer or insurance consultant license- \$100, for each annual renewal- \$25.
- Individual Insurance producer License- \$100, insurance licensing continuation/renewal- \$25
- Insurance company appointment and renewal of an appointment- \$25 (was \$10)
- Initial application for life settlement provider- \$100, for each annual renewal- \$25
- Initial life settlement broker application- \$100, for each annual renewal- \$25
- Individual resident or nonresident Public Adjuster license- \$100, for each annual renewal- \$25
- Business entity Public Adjuster- \$100 (was \$150), for each annual renewal \$25 (was \$50)
- Health insurance Administrator- \$250, for each annual renewal \$100

**SB 2092**- Relating to life settlement producer Licenses and reporting requirements

- N.D.C.C. 26.1-33.4-02 Subsections 7 and 8- Removal of this line in both subsections 7 and 8  
~~“A license issued between May 1, 2023, and July 31, 2023, is not required to be renewed until April 30, 2025.”~~

**SB 2125**- Relating to a producer’s lines of insurance, service of process for producer proceedings, revocation of nonresident producer licenses, requirements for renewal of business entity public adjuster licenses, public adjuster proof of insurance requirements, and public adjuster continuing education requirements.

- 26.1-26-11- License of insurance producers- Lines of insurance (**BOLD** is the new name change)
  - **Life** ~~and annuity~~
  - **Accident and health or sickness**

- **Variable life and variable annuity**

- 26.1-26-22- Proceedings by commissioner- Service of Process procedure (removal of Nonresident proceedings)
  - Electronic mail to the electronic mail address maintained as required under section 26.1-26-33.1 or United states mail
  - Service of process under this section is complete upon electronic mailing or United States mailing.
- 26.1-26-33.1- Notification of electronic mailing address used by regulator
  - An insurance producer shall maintain an electronic mailing address for regulatory use. It is an insurance producer's sole responsibility to continually monitor the electronic mailing address for regulatory communication from the commissioner.
- 26.1-26-42.1- Revocation of nonresident license
  - Notwithstanding the provisions of subsection 13 of section 26.1-26-42, any nonresident license issued pursuant to this chapter may be suspended or revoked without notice and hearing to the licensee and without proceeding in conformity with chapter 28-32, upon evidence ~~that~~ the resident license of the North Dakota nonresident licensee has been revoked or suspended or sixty days after the commissioner receives notification that the producers license is past the renewal deadline in the producer's resident home state. This evidence may be in the form of a certified copy or by electronic mail through the insurance producer database maintained by the national association of insurance producers, its affiliates, or subsidiaries.
- 26.1-26.8-09- License- Renewal- Reinstatement
  - 1. The commissioner shall issue a resident public adjuster license or nonresident public adjuster license to an individual who meets the necessary requirements of this chapter.
    - a. A resident public adjuster license and a nonresident public adjuster license expire on the last day of the month of the licensed public adjuster's birthday following the two-year anniversary of issuance of a license by the commissioner.
    - b. To renew a license, a licensed resident public adjuster and a licensed nonresident public adjuster shall file a biennial license continuation in the form and manner prescribed by the commissioner ~~and pay a fee of twenty-five dollars.~~ The commissioner shall give a licensee at least ~~sixty~~ ninety days' notice of the biennial license continuation filing deadline. A resident public adjuster or a nonresident public adjuster who allows the license to lapse may, within the twelve-month period immediately following the expiration date, reinstate the same license without the necessity of passing a written examination, upon payment of a reinstatement fee. ~~not to exceed one hundred twenty-five dollars, prescribed by the commissioner in addition to the renewal fee.~~
    - c. The commissioner may grant an individual licensee who is unable to comply with license renewal procedures due to military service or some other extenuating circumstance, including long-term medical disability, a waiver of an examination requirement or a fine, fee, or sanction imposed for failure to comply with renewal procedures.

- 2. The commissioner shall issue a business entity public adjuster license to a business entity that meets the necessary requirements of this chapter.
    - a. A business entity public adjuster license expires on the last day of the month following the two-year anniversary of issuance of a license by the commissioner.
    - b. To renew a license, a licensed business entity public adjuster shall file a biennial license continuation in the form and manner prescribed by the commissioner.
    - c. A business entity public adjuster license may be renewed within the ninety-day period immediately preceding the expiration date upon payment of the renewal fee. ~~not to exceed one hundred fifty dollars, prescribed by the commissioner. A business entity public adjuster that allows the license to lapse may, within the thirty-day period immediately following the expiration date, renew the same license upon payment of a late renewal fee, not to exceed one hundred twenty-five dollars, prescribed by the commissioner in addition to the renewal fee.~~
    - ~~▪ d. A business entity public adjuster license renewed within the thirty-day period immediately following the expiration date pursuant to this section is deemed to have been renewed before the expiration date.~~
  - 3. A license issued pursuant to this chapter must contain the licensee's name, mailing address, and license number; the date of issuance; the lines of authority; the expiration date; and any information the commissioner deems necessary.
  - 4. Within thirty days after the change, a licensee shall inform the commissioner, by any means acceptable to the commissioner, of a change of legal name, mailing address, or other information submitted on the application.
    - a. A licensee who fails to provide this notification of change is subject to a fine by the commissioner of not more than five hundred dollars per violation, suspension of the license until the change is reported to the commissioner, or both.
    - b. A licensee doing business under a name other than the licensee's legal name shall notify the commissioner before using the assumed name.
  - 5. A licensee is subject to the provisions of chapter 26.1-04.
  - 6. A licensee shall report to the commissioner any administrative action taken against the licensee in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. The report must include a copy of the order, consent to order, or other relevant legal documents.
  - 7. Within thirty days after a criminal conviction, a licensee shall report to the commissioner any criminal conviction of the licensee taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.
  - 8. The commissioner may contract with nongovernmental entities, including the national association of insurance commissioners, or affiliates or subsidiaries the national association oversees, to perform ministerial functions, including the collection of fees, related to the administration of this chapter.
  - 9. The commissioner may adopt rules establishing license renewal procedures.
- 26.1-26.8-11- Proof of bond ~~or insurance~~

- 1. At the time of issuance of a resident public adjuster license or a nonresident public adjuster license and for the duration of the license, an applicant shall maintain a surety bond ~~or proof of insurance~~ satisfactory to the commissioner for the use and benefit of the commissioner for insureds that have remitted fees, retainers, compensation, deposits, or other things of value to the public adjuster in the course of the public adjuster's business.

The bond:

- a. Must be a minimum of twenty thousand dollars; and
- b. May not be terminated by the surety company or public adjuster unless written notice has been filed with the commissioner and submitted to the public adjuster at least ~~sixty~~ thirty days before the termination.

- 2. The commissioner may request the evidence of financial responsibility at any time the commissioner deems relevant.
- 3. A public adjuster immediately shall notify the commissioner if evidence of financial responsibility terminates or becomes impaired. The authority to act as a public adjuster automatically terminates if the evidence of financial responsibility terminates or becomes impaired.

- 26.1-26.8-12- Continuing education

- 1. Except as otherwise provided in this section, an individual who holds a resident public adjuster license or a nonresident public adjuster license shall satisfactorily complete a minimum of twenty-four credits of continuing education, including three credits of ethics, reported on a biennial basis in conjunction with the license renewal cycle. Credits for continuing education courses attended in any one year over the minimum number of hours of education required, not to exceed twelve hours, may be credited to the year next preceding the year in which the credits were earned or to the year next following the year in which the credits were earned. Report of continuing education must be made at the end of a two-year period. The commissioner may provide a one-time extension of the two-year reporting requirement, not to exceed thirty-six months, if additional time is necessary to implement the transition to reporting continuing education by the last day of the birth month.
- 2. The requirements of subsection 1 do not apply to a nonresident public adjuster who has met the continuing education requirements of the adjuster's home state and whose home state gives credit to residents of this state on the same basis.
- 3. The commissioner shall provide by rule for reporting by the last day of the birth month of compliance with the continuing education requirements of this section.
- ~~○ 4. The commissioner shall adopt by rule criteria for the accreditation of courses for continuing education. Applications for accreditation of a continuing education course offered in this state must be submitted to the commissioner within the time provided by rule and on forms established by rule and with a fee of fifty dollars. The commissioner shall make a final determination as to accreditation and assignment of credit-hours for continuing education courses.~~