

CHAPTER 323

INSURANCE

SENATE BILL 08-207

BY SENATOR(S) Groff;
also REPRESENTATIVE(S) Carroll T.**AN ACT****CONCERNING THE PROVISION OF STATISTICAL DATA ON INSURANCE PRODUCER EXAMINATION APPLICATIONS.***Be it enacted by the General Assembly of the State of Colorado:***SECTION 1.** 10-2-402 (3), Colorado Revised Statutes, is amended to read:**10-2-402. License examination requirement.** (3) (a) Each individual applying for an examination shall remit a nonrefundable fee as prescribed by the commissioner in accordance with section 10-2-413.

(b) THE APPLICATION FOR EXAMINATION SHALL REQUEST THE APPLICANT TO PROVIDE THE FOLLOWING INFORMATION:

(I) THE APPLICANT'S NAME, AGE, RESIDENCE ADDRESS, BUSINESS ADDRESS, AND MAILING ADDRESS;

(II) THE NAME OF ANY REQUIRED PRELICENSING COURSE HE OR SHE HAS COMPLETED OR IS IN THE PROCESS OF COMPLETING;

(III) THE METHOD BY WHICH THE APPLICANT INTENDS TO QUALIFY FOR THE LICENSE IF OTHER THAN COMPLETING A PRELICENSING COURSE;

(IV) THE HIGHEST LEVEL OF EDUCATION ACHIEVED BY THE APPLICANT; AND

(V) THE APPLICANT'S GENDER, NATIVE LANGUAGE, AND RACE OR ETHNICITY; EXCEPT THAT THE APPLICATION SHALL CONTAIN A STATEMENT THAT AN APPLICANT IS NOT REQUIRED TO DISCLOSE HIS OR HER GENDER, NATIVE LANGUAGE, OR RACE OR ETHNICITY, THAT HE OR SHE WILL NOT BE PENALIZED FOR NOT DOING SO, AND THAT

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

THE DEPARTMENT WILL USE THIS INFORMATION EXCLUSIVELY FOR RESEARCH AND STATISTICAL PURPOSES AND TO IMPROVE THE QUALITY AND FAIRNESS OF THE EXAMINATIONS.

(c) NO LATER THAN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (c), AND ANNUALLY THEREAFTER, THE COMMISSIONER SHALL PREPARE AND PUBLISH A REPORT THAT SUMMARIZES STATISTICAL INFORMATION RELATING TO INSURANCE PRODUCER EXAMINATIONS ADMINISTERED DURING THE PRECEDING CALENDAR YEAR. THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION FOR ALL EXAMINEES COMBINED AND SEPARATELY BY RACE OR ETHNICITY, GENDER, RACE OR ETHNICITY WITHIN GENDER, EDUCATION LEVEL, AND NATIVE LANGUAGE:

(I) THE TOTAL NUMBER OF EXAMINEES;

(II) THE PERCENTAGE AND NUMBER OF EXAMINEES WHO PASSED THE EXAMINATION;

(III) THE MEAN SCALED SCORES ON THE EXAMINATION; AND

(IV) STANDARD DEVIATION OF SCALED SCORES ON THE EXAMINATION.

(d) IF THE COMMISSIONER ARRANGES TO HAVE THE EXAMINATIONS FOR LICENSURE ADMINISTERED BY AN INDEPENDENT TESTING SERVICE PURSUANT TO SECTION 10-2-402 (5), THE COMMISSIONER MAY PROVIDE DEMOGRAPHIC INFORMATION TO THE TESTING SERVICE IF THE COMMISSIONER REQUIRES THE INDEPENDENT EXAMINER TO REVIEW AND ANALYZE EXAMINATION RESULTS IN CONJUNCTION WITH THE GENDER, NATIVE LANGUAGE, EDUCATION LEVEL, AND RACE OR ETHNICITY OF THE EXAMINEES.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to applications for insurance producer examinations received by the commissioner of insurance on or after the applicable effective date of this act.

Approved: May 28, 2008