AN ACT GENERALLY REVISING LAWS RELATED TO CONTINUING EDUCATION COURSES;
ELIMINATING THE INSURANCE ADVISORY COUNCIL; ALLOWING CONTRACTS FOR EDUCATION
COURSE REVIEW; AND AMENDING SECTION 33-17-1204, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-17-1204, MCA, is amended to read:

"33-17-1204. Review and approval of continuing education courses by commissioner --
advisory council. (1) The commissioner shall, after review by and at the recommendations of the advisory
council established under subsection (2), approve only those continuing education courses, lectures, seminars,
and instructional programs that the commissioner determines would improve the product knowledge,
management, ethics, or marketing capability of the licensee. Course content, instructors, material, instructional
format, and the sponsoring organization must be approved and periodically reviewed by the commissioner. The
fee for approval of a course, lecture, seminar, or instructional program is listed in 33-2-708(2). The
commissioner shall also determine the number of credit hours to be awarded for completion of an approved
continuing education activity.

(2) The commissioner shall appoint an advisory council, pursuant to 2-15-122, consisting of at
least one representative of the independent insurance agents of Montana, one representative of the national
association of insurance and financial advisors – Montana, one representative of the professional insurance
agents of Montana, one representative of the Montana state adjusters association, one title insurance producer,
two public members who are not directly employed by the insurance industry, one insurance producer or
consultant not affiliated with any of the three listed organizations, and a nonvoting presiding officer from the
department who will be appointed by the commissioner as a representative of the department. The members of
the council shall serve a term of 2 years, except that the initial term of the representative from each
organization is 3 years. The commissioner shall consult with the council in formulating rules and standards for
the approval of continuing education activities and prior to approving specific education activities. The
provisions of 2-15-122(9) and (10) do not apply to this council may enter into a contract with a person to review
and recommend for approval continuing education courses, lectures, seminars, and instructional programs that
the commissioner determines would improve the product knowledge, management, ethics, or marketing
capability of the licensee.

(3) In conducting periodic review of course content, instructors, material, instructional format, or a
sponsoring organization, the commissioner may exercise any investigative power of the commissioner provided
for in 33-1-311 or 33-1-315.

(4) If after review or investigation the commissioner determines an approved continuing education
activity is not being operated in compliance with the standards established under this section, the commissioner
may revoke approval, place the activity under probationary approval, or issue a cease and desist order under
33-1-318."

- END -
I hereby certify that the within bill, HB 61, originated in the House.

___________________________________________
Chief Clerk of the House

___________________________________________
Speaker of the House

Signed this _______________________________day
of____________________________________, 2023.

___________________________________________
President of the Senate

Signed this _______________________________day
of____________________________________, 2023.
HOUSE BILL NO. 61
INTRODUCED BY R. FITZGERALD
BY REQUEST OF THE STATE AUDITOR

AN ACT GENERALLY REVISING LAWS RELATED TO CONTINUING EDUCATION COURSES; ELIMINATING THE INSURANCE ADVISORY COUNCIL; ALLOWING CONTRACTS FOR EDUCATION COURSE REVIEW; AND AMENDING SECTION 33-17-1204, MCA.