



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Insurance Commission

TITLE-SERIES: 114-25

RULE TYPE: Legislative

CITE STATUTORY AUTHORITY: W.Va. Code §§33-12B-12 and 33-2-10

RULE NAME: 114-25 Insurance Adjusters

PLEASE SELECT A SUNSET PROVISION OPTION:

EXTEND THE SUNSET DATE OF THE RULE.

10 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS

INCORPORATED BY REFERENCE

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The OIC proposes extending the sunset date for 114 CSR 25, Insurance Adjusters. During the 2020 Legislative Session, House Bill 4502 was passed which revised Article 12B, Chapter 33 of the West Virginia Code regarding the licensing requirements of insurance adjusters. The legislation made several significant changes, including the creation of a new license for independent insurance adjusters and provided for the creation of lines of authority under new and existing licenses, including lines of authority in property and casualty, workers compensation and crop. It also updated licensing exemptions, revised insurance adjuster testing requirements and licensing terms, provided for background checks and established continuing education requirements. The revisions to 114 CSR 25 were needed in 2021 to conform to the existing rule regarding the licensing of insurance adjusters to the updated statutory licensing requirements and to provide guidance and instruction for insurance adjusters regarding licensing, testing, and lines of authority. The controlling statute remains unchanged from its 2020 amendment and, accordingly, the rule needs extended.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

This rule was amended in 2021 because of 2020 legislation (HB 4502). The new 2020 statutory requirements regarding adjuster licensing, examinations, continuing education, exemptions from licensure, and lines of authority remain in statute and, thus, the rule requires extension.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

No additional impact.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

No additional impact.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

N/A.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Anoop Bhasin -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.