

BEFORE THE DIVISION OF INSURANCE

STATE OF COLORADO

Order No. O-21-009

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ORDER OF THE COLORADO INSURANCE COMMISSIONER

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IN RE: FIRST EXTENDED ORDER REGARDING TEMPORARY INDIVIDUAL RESIDENT  
AND NON-RESIDENT INSURANCE PRODUCER LICENSES

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Commissioner Michael E. Conway hereby enters the following Order in this matter and makes the following findings and orders:

WHEREAS, pursuant to C.R.S. § 10-1-108, it is the duty of the Commissioner to examine all requests and applications for licenses to be issued under the authority of part 4, article 2, of title 10 of the Colorado Revised Statutes, and the Commissioner is authorized to refuse to issue any such licenses until the Commissioner is satisfied of the qualifications and general fitness of the applicant in accordance with the requirements of the insurance laws;

WHEREAS, pursuant to C.R.S. § 10-2-410(1), the Commissioner has the authority to issue temporary insurance producer licenses without requiring an examination if the Commissioner deems that the public interest will best be served by the issuance of such licenses;

WHEREAS, pursuant to C.R.S. § 10-2-410(2), the Commissioner may, by order, limit the authority of temporary insurance producer licenses in any way deemed necessary to protect insureds and the public;

WHEREAS, on March 11, 2020, Governor Jared Polis issued Executive Order 2020-003, which declared a state of disaster emergency due to the presence of the coronavirus disease 2019 (COVID-19) in Colorado and authorizing response activities associated with the disaster emergency to enable State agencies to coordinate response, recovery, and mitigation efforts. Executive Order 2020-003 remained in effect for thirty (30) days, unless extended further by Executive Order;

WHEREAS, Governor Jared Polis has issued Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, and D 2020 109 amending and extending the declaration of a state of disaster emergency due to the presence of COVID-19 in Colorado. Most recently, on July 6, 2020, Governor Jared Polis issued Executive Order D 2020 125 further amending and extending the declaration of a state of disaster emergency due to the presence of COVID-19 in Colorado for 30 days, which may be extended further by Executive Order.

NOW THEREFORE, the Commissioner deems it in the public interest to issue temporary resident and non-resident insurance producer licenses pursuant to the conditions set forth below, and hereby ORDERS AS FOLLOWS:

## **I. RESIDENT INSURANCE PRODUCER LICENSE APPLICATIONS**

Pursuant to C.R.S. § 10-2-410, the Division will issue temporary resident insurance producer licenses to applicants pursuant to the following criteria:

An applicant must satisfy the following requirements:

1. Is a resident of Colorado and at least eighteen years of age;
2. Meets and maintains the application requirements under C.R.S. § 10-2-404, with the exception of the license examination requirements as set forth in this Order;
3. Has not committed any act that is grounds for denial under C.R.S. § 10-2-801;
4. Is sponsored by an insurer or licensed Colorado resident insurance producer (each a “Sponsor” and, collectively, the “Sponsors”), in good standing in the state of Colorado. Insurers shall be identified by name, NAIC Company Code, business address, telephone number and email address. All Sponsors shall conduct a background check, including for crimes involving moral turpitude, confirm in writing that subject to the background check, the applicant is not in violation of C.R.S. § 10-2-801 or any other applicable statutes which would otherwise preclude their eligibility to apply for a temporary resident producer license in the state of Colorado; Sponsors shall also comply with all the requirements listed in Section III of this Order; and
5. The Sponsor has submitted an application for a temporary license electronically at [www.sircon.com](http://www.sircon.com), as an authorized submitter on the applicant’s behalf. The application includes an attestation under C.R.S. § 10-2-404(1).

Pursuant to C.R.S. § 10-2-410, for those applicants meeting the requirements set forth above, the following requirements are expressly waived:

1. The license examination requirement of C.R.S. § 10-2-402.

## **II. NON-RESIDENT INSURANCE PRODUCER LICENSE APPLICATIONS**

Pursuant to C.R.S. §§ 10-2-410 and 10-2-501, the Division will issue temporary non-resident insurance producer licenses to applicants pursuant to the following criteria:

1. Temporary resident insurance producers are not eligible for non-resident licenses in other states; and

2. Persons that receive temporary resident insurance producer licenses in other states are not eligible for temporary non-resident insurance producer licenses in Colorado.

### **III. SPONSOR AND INSURER REQUIREMENTS**

1. Insurers remain responsible for the acts of temporary licensees pursuant to C.R.S. §§ 10-2-401(1) and 10-3-131.
2. Sponsors must maintain a record of all producers operating under a temporary license and business transacted by them; and
3. Sponsors shall ensure that all temporary licensees operating under their supervision are in compliance with C.R.S. § 10-2-801 or any other applicable statutes which would otherwise preclude their eligibility to maintain a temporary resident producer license in the state of Colorado.

### **IV. FEES AND CONTINUATION**

1. All applicable licensing fees shall continue to be collected pursuant to section 12 of Colorado Insurance Regulation 1-2-10;
2. Prior to the termination of any temporary license issued pursuant this Order and Order No. O-20-052, such license may be converted into a permanent license by completion of all prerequisites of a license for the line or lines of insurance including passing the required examination pursuant to the applicable statutes prior to expiration of the temporary license; and
3. No additional fee shall be required in association with the issuance of a permanent license.

IT IS FURTHER ORDERED, pursuant to C.R.S. § 10-2-410, that:

1. All temporary insurance producer licenses issued pursuant to this Order and Order No. O-20-052, shall expire on November 6, 2020;
2. All temporary insurance producers are prohibited from acting as the responsible producer for an insurance agency as defined by C.R.S. § 10-2-404(2)(d);
3. Any temporary licensee under this Order and Order No. O-20-052 who subsequently elects to obtain a license shall comply with all applicable producer licensing requirements; and

4. The Commissioner may deny, suspend, or revoke a temporary license as permitted by applicable law, including summary suspensions pursuant to C.R.S. §§ 24-4-104(4) and 24-4-105(12).

So Ordered this 2nd day of August, 2020.  
COMMISSIONER OF INSURANCE

    /s/ Michael Conway      
Michael E. Conway