

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1841

95TH GENERAL ASSEMBLY

4587L.02P

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To amend chapter 375, RSMo, by adding thereto one new section relating to the review of license examinations for life insurance producers.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 375, RSMo, is amended by adding thereto one new section, to be known as section 375.024, to read as follows:

**375.024. 1. The provisions of this section shall only apply to life insurance producer examinations.**

**2. The director or, at the director's discretion, a vendor under contract with the department, shall review license producer examinations subject to the provisions of this section if, during any twelve-month period beginning on September first of a year, the examinations exhibit an overall pass rate of less than seventy percent for first-time examinees.**

**3. In conformance with appropriate law relating to privacy, the department shall collect demographic information, including, race, gender, and national origin, from an individual taking a license examination subject to the provisions of this section.**

**4. The department shall compile an annual report based on the review required under subsection 2 of this section. The report shall indicate whether there was any disparity in the examination pass rate based on demographic information.**

**5. The director by rule may establish procedures as necessary to:**

**(1) Collect demographic information necessary to implement the provisions of this section; and**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **(2) Ensure that a review required under subsection 2 of this section is conducted**  
18 **and the resulting report is prepared. Any rule or portion of a rule, as that term is defined**  
19 **in section 536.010, that is created under the authority delegated in this section shall become**  
20 **effective only if it complies with and is subject to all of the provisions of chapter 536, and,**  
21 **if applicable, section 536.028. This section and chapter 536, are nonseverable and if any**  
22 **of the powers vested with the general assembly pursuant to chapter 536, to review, to delay**  
23 **the effective date, or to disapprove and annul a rule are subsequently held**  
24 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
25 **after August 28, 2010, shall be invalid and void.**

26           **6. The director shall deliver the report prepared under this section to the governor,**  
27 **the lieutenant governor, the president pro tem of the senate, and the speaker of the house**  
28 **of representatives not later than December first of each year.**

29           **7. The first twelve-month period for which a license examination review may be**  
30 **required under this section shall begin September 1, 2010.**

31           **8. The director shall deliver the initial report required under this section, not later**  
32 **than December 1, 2011.**

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