

LAWS OF DELAWARE
VOLUME 85
CHAPTER 12
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 18

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LICENSING FEES AND DEPARTMENT OF INSURANCE FUNDING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fifths of all members elected to each house thereof concurring therein):

Section 1. Amend § 305, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 305. Office; Insurance Commissioner Regulatory Revolving Fund.

(c) ~~(1) All supervisory assessments, examination fees and any rate filing or form filing fees paid by insurers~~ and All of the following must be collected by the Commissioner pursuant to this title ~~shall be~~ and deposited in the State Treasury to the credit of said Insurance Commissioner Regulatory Revolving Fund to be used in the operation of the office as authorized by the General Assembly in its annual operating ~~budget.~~ budget:

a. Supervisory assessments.

b. Examination fees.

c. Rate filing and form filing fees paid by insurers.

d. 15% of all licensing fees of insurance professionals collected pursuant to paragraphs (23) through (31), (35) through (37), (41) and (42) of § 701 of this title.

~~(2) All Except as otherwise provided by law, other fees and/or taxes collected by the Commissioner shall~~ may not be deposited in said Fund but shall be deposited in the General Fund of the State.

(e) The maximum unencumbered balance which shall remain in the Insurance Commissioner Regulatory Revolving Fund at the end of any fiscal year ~~effective as of June 30, 2005; shall be \$1,400,000; and any amount in excess thereof shall cause the Insurance Commissioner to reduce assessments or fees collected in the next fiscal year by an amount sufficient to reduce the Regulatory Revolving Fund fiscal year end balance back to or below \$1,400,000.~~ is \$5,000,000. At the end of each fiscal year, the unencumbered balance in the Insurance Commissioner Regulatory Revolving Fund in excess of \$5,000,000 must be transferred to the General Fund.

Section 2. Amend § 701, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 701. Fee schedule.

Except as provided herein or otherwise by law, the Commissioner shall collect, in advance, fees, costs and miscellaneous charges as follows:

(23) Insurance producer (~~§ 1702(i) of this title~~), limited line credit insurance producer (~~as defined in § 1702 of this title~~), and limited lines producer (all as defined in § 1702 of this title) ~~and miscellaneous limited lines producer (§ 1708(f) of this title)~~.

a. Initial license (resident and nonresident) ~~400~~ 125

b. Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) ~~400~~ 125

c. Resident insurance ~~producer's, limited line credit insurance producer's, limited lines producer's~~ producers, limited line credit insurance producers, and limited lines producers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (23)b of this section.

d. Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) ~~400~~ 125

e. Nonresident ~~producer's, producers,~~ nonresident limited line credit insurance producer, producers, and nonresident limited lines producer producers ~~and nonresident miscellaneous limited lines producer's~~ initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (23)d. of this section.

f. One-time appointment of insurance producer, limited line credit insurance producer, and limited lines producer ~~and miscellaneous limited line producer~~ (§ 1715 of this title), each insurer 50

(24) Amendments to license issued under Chapter 17 of this title ~~25~~ 50

(25) Surplus lines broker (§ 1912 of this title):

a. Initial license (resident and nonresident) ~~250~~ 275

b. Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) ~~200~~ 225

c. Resident surplus lines ~~broker's~~ brokers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (25)b. of this section.

d. Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) ~~400~~ 225

e. Nonresident surplus lines ~~broker's~~ brokers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (25)d. of this section.

(26) Fraternal representative (§ 1702(g) of this title):

a. Initial license (resident and nonresident) ~~400~~ 125

b. Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) ~~400~~ 125

c. Resident fraternal ~~representative's~~ representatives initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (26)b. of this section.

d. Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) ~~400~~ 125

e. Nonresident fraternal ~~representative's~~ representatives initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (26)d. of this section.

f. One-time appointment of fraternal representative (§ 1715 of this title), each society or association
50

(27) Adjuster (§ 1702(a) of this title):

a. Initial license (resident and nonresident) ~~400~~ 125

b. Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) ~~400~~ 125

c. Resident ~~adjuster's~~ adjusters initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (27)b. of this section.

d. Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) ~~400~~ 125

e. Nonresident ~~adjuster's~~ adjusters initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (27)d. of this section.

(28) Motor vehicle appraiser (§ 1702(c) of this title):

a. Initial license (resident and nonresident) ~~400~~ 125

b. Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) ~~400~~ 125

c. Resident motor vehicle ~~appraiser's~~ appraisers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (28)b. of this section.

d. Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) ~~400~~ 125

e. Nonresident motor vehicle ~~appraiser's~~ appraisers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (28)d. of this section.

(29) Apprentices (§ 1702(d) of this title) and temporary insurance producer (§ 1711 of this title)
License (initial) ~~50~~ 75

(30) "Viatical settlement provider" and viatical settlement broker (§ 7502 of this title):

a. Initial license (resident and nonresident) ~~250~~ 275

b. ~~Resident license~~ License renewal (due ~~biennially~~ annually February 28 ~~in even years beginning February 28, 2004~~) ~~250~~ 275

c. ~~Resident viatical~~ Viatical settlement provider's providers and brokers initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific ~~biennial~~ renewal period referenced in ~~paragraph (33)b.~~ paragraph (30)b. of this section.

d. ~~Nonresident license renewal (due biennially February 28 in odd years ending in the numbers 1, 3, 5, 7, 9-~~ beginning February 28, 2003) ~~250~~

e. ~~Nonresident viatical settlement provider's initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in paragraph (30)d. of this section.~~

(31) Business entity (insurance agency, § 1702(f) of this title):

a. Initial license (resident and nonresident) 400 125

a. b. ~~Resident license renewal (due biennially February 28 in even years beginning February 28, 2004) 400 125~~

b. c. ~~Resident business entity entities~~ initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in ~~paragraph (23)b.~~ paragraph (31)b. of this section.

e. d. ~~Nonresident license renewal (due biennially February 28 in odd years beginning February 28, 2003) 400 125~~

~~d.~~ e. ~~Nonresident business entity entities~~ initially licensed within 90 days prior to the renewal deadline of February 28 (December 1-February 28) are not subject to the renewal fee for that specific biennial renewal period referenced in ~~paragraph (23)d.~~ paragraph (31)d. of this section.

(35) Bail agent, initial and renewal:

Bail agent ~~200 225~~

(36)a. For initial licensing of a discount medical plan organization: ~~500 525~~

b. For renewal of discount medical plan organization license: ~~250 275~~

(37) Limited lines travel insurance producers (that are registering travel retailers under chapter 17B of this title):

a. For initial licensing of a limited lines travel insurance producer: ~~4,000 1,025~~

b. For renewal of a limited lines travel insurance producer license: ~~500 525~~

c. Licensing periods, ~~renewal dates~~renewal dates, and appointments for limited lines travel insurance producers are subject to paragraph (23) of this section.

(41) Rental company limited lines producer license (§ 2006 of this title), each year 325

(42) Portable electronics vendor limited lines license (§ 2057 of this title).

a. Initial license 1,025

b. License renewal 525

Section 3. Amend § 2006, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2006. Fees.

The fee for this limited license ~~shall be \$300 per year, per company.~~ is the fee set forth in § 701 of this title.

Section 4. Amend § 2057, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2057. Application for license and fees.

(e) Each vendor of portable electronics licensed under this chapter shall pay to the Insurance Commissioner ~~a fee as prescribed by the Commissioner but in no event shall the fee exceed \$1,000 for an initial portable electronics limited lines license and \$500 for each renewal thereof.~~ the fee set forth in § 701 of this title.

Approved May 7, 2025