



2024 South Dakota Legislature
Senate Bill 41
ENROLLED

AN ACT

ENTITLED An Act to modify an administrative procedure for revoking a nonresponsive insurance producer's license.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 58-30 be amended with a NEW SECTION:

If the director has reasonable evidence that a licensed insurance producer has violated any provision of this title and the licensed producer has also violated subdivision 58-33-66(1) for failing to respond to division inquiries regarding the same, the director may, after sufficient notice, revoke the producer's license by an order of the director without a hearing. An order under this section must include the applicable provisions of § 58-4-16 and chapter 1-26 for final agency decisions and must be accompanied by exhibits demonstrating the alleged violations.

For purposes of this section, the term "sufficient notice" means:

- (1) The producer is provided notice of the alleged violations at the producer's last reported mailing address on file with the director; and
- (2) The producer is provided a second notice at the producer's last reported mailing address on file with the director stating the producer is in violation of § 58-33-66 and must respond to avoid administrative action by the division.

Section 2. That chapter 58-30 be amended with a NEW SECTION:

An order under section 1 of this Act must allow sixty days for the producer to request a hearing in writing. If a timely request for hearing is received, the director shall issue a notice of hearing within thirty days. The office of hearing examiners shall hold the hearing, review the director's order with the evidence presented at hearing, and issue a proposed decision. If a producer does not timely request a hearing, the director's order revoking the license becomes the final agency decision pursuant to § 1-26-25.

An Act to modify an administrative procedure for revoking a nonresponsive insurance producer's license.

I certify that the attached Act originated in
the:
Senate as Bill No. 41

Received at this Executive Office
this ____ day of _____,
2024 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this ____ day of
_____, A.D., 2024

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2024
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 41
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State