

Commercial Lines Multi-State Risk Licensing Exemption Review of State Laws

Alabama

ALA. CODE § 27-7-4.2(b)(6)

A license as an insurance producer shall not be required of any of the following: (6) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Alaska

ALASKA STAT. § 21.27.010(j)(6)

This section [§21.27.010] does not apply to a person who (6) is not a resident of this state, but sells, solicits, or negotiates commercial property and casualty insurance for an insured with risks located in more than one state if the person is licensed as an insurance producer in the state where the insured maintains its principal place of business and the contract of insurance covers risks located in that state.

Arizona

ARIZ. REV. STAT. § 20-283(B)(6)

The following persons are not required to obtain a license as an insurance producer: 6. A person who is not a resident of this state and who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks that are located in more than one state insured under that contract, if that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Arkansas

ARK. CODE ANN. § 23-64-504(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

California – No such exemption exists.

Colorado

COLO. REV. STAT. § 10-2-105(2)(i)

Notwithstanding section 10-2-103(6), "insurance producer" does not include the following: (i) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance, for commercial property and casualty risks, to an insured with risks located in more than one state insured under that contract, so long as the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Connecticut

CONN. GEN. STAT. § 38a-702c(b)(6)

A license as an insurance producer shall not be required of the following: (6) a person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under the contract, provided the person is otherwise licensed as an insurance producer to sell, solicit or negotiate such insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Delaware

DEL. CODE ANN. Tit. 18, § 1704(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this State who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than 1 state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

District of Columbia

D.C. CODE § 31-1131.04(b)(6)

The following persons shall not be required to be licensed as an insurance producer : (6) A person who is not a resident of the District who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract; provided, that the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Florida – Status Unknown**Georgia**

GA. CODE ANN. § 33-23-4(h)(2)(F)

A license as an insurance agent shall not be required of the following: (F) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that the person is otherwise licensed as an insurance agent to sell, solicit, or negotiate insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Hawaii

HAW. REV. STAT. § 431:9A-104(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this State who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract; provided that the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Idaho

IDAHO CODE ANN. § 41-1005(2)(f)

A license as an insurance producer shall not be required of the following: (f) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one (1) state insured under that contract, provided that the person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Illinois

215 ILL. COMP. STAT. 5/500-20(b)(6)

A license as an insurance producer shall not be required of the following: (6) a person who is not a resident of this State who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Indiana

IND. CODE § 27-1-15.6-4(c)(6)

The following are not required to be licensed as an insurance producer: (6) A person who is not a resident of Indiana and who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that:

(A) the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate the insurance in the state where the insured maintains its principal place of business; and

(B) the contract of insurance insures risks located in that state.

Iowa

IOWA CODE § 522B.3(2)(f)

A license as an insurance producer shall not be required of any of the following: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Kansas

KAN. STAT. ANN. § 40-4094(b)(6)

The provisions of this act shall not apply to: (6) Any person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured having risks insured under that contract located in more than one state, whenever:

(A) Such person is licensed as an insurance agent to sell, solicit or negotiate such insurance in the state where the insured maintains such insured's principal place of business; and

(B) the contract of insurance insures risks located in that state.

Kentucky

Ken. Rev. Stat. Ann. § 304.9-090(2)(f)

A license as an insurance producer shall not be required of the following: (f) An individual or business entity who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one (1) state insured under that contract, provided that the individual or business entity is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Louisiana

La. Rev. Stat. Ann. § 22:1544(B)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Maine

ME. REV. STAT. ANN. tit. 24-A, § 1420-C(2)(F)

A license as an insurance producer shall not be required of the following: (F) A person who is not a resident of this State who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Maryland

MD. CODE ANN., INS. § 10-103(b)(7)

The licensing requirements of this section do not apply to: (7) a person who is not a resident of the State who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under the contract if:

- (i) the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business; and
- (ii) the contract insures risks located in that state.

Massachusetts

MASS. GEN. LAWS ch. 175, § 162J(b)(6)

(b) A license as an insurance producer shall not be required of the following:— (6) a person who is not a resident of the commonwealth who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than 1 state insured under that contract if that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Michigan

MICH. COMP. LAWS § 500.1202(2)(f)

A license as an insurance producer is not required of any of the following: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than 1 state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Minnesota

MINN. STAT. § 60K.34(2)(7)

A license as an insurance producer is not required of the following: (7) a person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, if the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Mississippi

MISS. CODE ANN. § 83-17-57(2)(f)

A license as an insurance producer shall not be required of the following: (f) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one (1) state insured under that contract, if that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Missouri

MO. REV. STAT. § 375.014.3(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that the person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Montana

MONT. CODE ANN. § 33-17-103(9)

The definition of insurance producer does not include: (9) a person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks with respect to an insured with risks located in more than one state that are insured under the contract if the person is

licensed in the state where the insured maintains its principal place of business and the contract insures risks located in that state.

Nebraska

NEB. REV. STAT. § 44-4051(2)(f)

The following persons need not be licensed as an insurance producer: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract if that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Nevada – *No such exemption exists.*

New Hampshire

N.H. REV. STAT. ANN. § 402-J:4(II)(f)

A license as an insurance producer shall not be required of the following: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

New Jersey

N.J. STAT. ANN. § 17:22A-30(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this State who sells, solicits or negotiates a contract of insurance for commercial p/c risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

New Mexico – *No such exemption exists.*

New York

N.Y. INS. LAW § 2101(a)(9)

In this article, "insurance agent" means any authorized or acknowledged agent of an insurer, fraternal benefit society or health maintenance organization issued a certificate of authority pursuant to article forty-four of the public health law, and any sub-agent or other representative of such an agent, who acts as such in the solicitation of, negotiation for, or sale of, an insurance, health maintenance organization or annuity contract, other than as a licensed insurance broker, except that such term shall not include: (9) a person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property/casualty risks to an insured with risks located in more than one state insured under that contract, provided that such person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

N.Y. INS. LAW § 2101(c)(8)

(c) In this article, "insurance broker" means any person, firm, association or corporation who or which for any compensation, commission or other thing of value acts or aids in any manner in soliciting, negotiating or selling, any insurance or annuity contract or in placing risks or taking out insurance, on behalf of an insured other than himself, herself or itself or on behalf of any licensed insurance broker, except that such term shall not include: (8) a person who is not a resident of this state who sells, solicits or negotiates a contract for commercial property/casualty risks to an insured with risks located in more than one state insured under that contract, provided that such person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

North Carolina

N.C. GEN. STAT. § 58-33-26(n)(6)

A license as an insurance producer is not required of the following: (6) A person who is not a resident of this State who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

North Dakota

N.D. CENT. CODE § 26.1-26-09(2)(f)

A license as an insurance producer is not required of the following: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Ohio

OHIO REV. CODE ANN. § 3905.03(A)(7)

Section 3905.02 of the Revised Code does not apply to any of the following: (7) Any person who is not a resident of this state and who sells, solicits, or negotiates a contract of insurance covering commercial property and casualty risks located in more than one state, if the person is licensed as an insurance agent to sell, solicit, or negotiate that insurance contract in the state where the insured maintains its principal place of business and the contract insures risks located in that state.

Oklahoma

OKLA. STAT. § 36-1435.5(B)(6)

A license as an insurance producer shall not be required of the following: 6. A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Oregon

OR. REV. STAT. § 744.056(2)(f)

A license as an insurance producer is not required of any of the following: (f) A person who is not a resident of this state who sells, solicits or negotiates a policy of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that policy, but only if the person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Pennsylvania

40 Pa. Cons. Stat. § 310.3(b)(7)

The following persons shall not be insurance producers for purposes of this act: (7) A person who:

- (i) Is not a resident of this Commonwealth.
- (ii) Sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state under that contract.
- (iii) Is licensed as an insurance producer to sell, solicit or negotiate that line of authority in the state where the insured maintains its principal place of business.
- (iv) The contract of insurance insures risks located in the state where the insured maintains its principal place of business.

Rhode Island

R.I. GEN. LAWS § 27-2.4-5(b)(7)

A license as an insurance producer shall not be required of the following: (7) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

South Carolina

S.C. CODE ANN. § 38-43-20(D)(6)

A license as an insurance producer is not required of the following: (6) a person who is not a resident of this State who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

South Dakota

S.D. CODIFIED LAWS § 58-30-144 (6)

A license as an insurance producer is not required of the following: (6) Any person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, if that person is otherwise licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that STATE, except that any contract of insurance applicable to this subdivision shall be countersigned by a licensed resident insurance producer appointed by the insurer as required by §58-6-62.

Tennessee

TENN. CODE ANN. § 56-6-104(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract; provided, that the person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Texas

NOTE: Texas has not enacted the traditional exemption, but the following provision has been adopted:

TEX. INS. CODE ANN. §101.053(b)(3)

Sections 101.051 [which describes acts that constitute the "business of insurance" for Texas purposes] and 101.052 do not apply to: (3) a transaction in this state that:

(A) involves a policy that:

(i) is lawfully solicited, written, and delivered outside this state; and

(ii) covers, at the time the policy is issued, only subjects of insurance that are not resident, located, or expressly to be performed in this state; and

(B) takes place after the policy is issued.

Utah

UTAH CODE ANN. §31 A-23a-201(1)(g)

The commissioner may not require a license as an insurance producer of: (g) a person who:

(i) is not a resident of this state;

(ii) sells, solicits, or negotiates a contract of insurance:

(A) for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract; and

(B) insures risks located in a state in which the person is licensed as provided in Subsection (1)(g)(iii); and

(iii) is licensed as an insurance producer to sell, solicit, or negotiate that insurance in the state where the insured maintains its principal place of business.

Vermont

VT. STAT. ANN. tit. 481 § 3d(b)(6)

A license as an insurance producer shall not be required of the following: (6) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Virginia

VA. CODE ANN. § 38.2-1821.1(B)(6)

A license as an insurance producer shall not be required of the following: 6. A person who is not a resident of this Commonwealth who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Washington

WASH. REV. CODE § 48.17.062(2)(f)

A license as an insurance producer is not required of the following: (f) A person who is not a resident of this state who sells, solicits, or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that the person is otherwise licensed as an insurance producer to sell, solicit, or negotiate the insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

West Virginia

W. VA. CODE § 33-12-4(b)(6)

A license as an insurance producer shall not be required of the following: (6) An individual who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract: *Provided*, That individual is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Wisconsin

WIS. ADMIN. CODE INS. § 6.595(2)(g)

The following persons are not required to obtain an intermediary license: (g) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one state insured under that contract, provided that that person is otherwise licensed as an insurance producer to sell, solicit or negotiate that insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.

Wyoming

WYO. STAT. ANN. § 26-9-204(b)(vi)

A license as an insurance producer shall not be required of the following: (vi) A person who is not a resident of this state who sells, solicits or negotiates a contract of insurance for commercial property and casualty risks to an insured with risks located in more than one (1) state insured under that contract, provided that person is otherwise licensed as an insurance producer to sell, solicit or negotiate the insurance in the state where the insured maintains its principal place of business and the contract of insurance insures risks located in that state.