

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 553
Committee Substitute Favorable 4/11/19
Committee Substitute #2 Favorable 6/5/19
PROPOSED COMMITTEE SUBSTITUTE H553-PCS40481-BH-21

Short Title: Licensing Certain Fire Safety Equip. Work.

(Public)

Sponsors:

Referred to:

April 3, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE LICENSING AND PERMITTING FOR FIRMS AND PERSONS
3 THAT INSTALL AND SERVICE PORTABLE FIRE EXTINGUISHERS AND FIRE
4 SUPPRESSION SYSTEMS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 58 of the General Statutes is amended by adding a new Article
7 to read:

8 "Article 82B.

9 "Licensing and Permitting for the Installation and Servicing of Portable Fire Extinguishers and
10 Fire Suppression Systems.

11 **"§ 58-82B-1. Definitions.**

12 The following definitions apply in this Article:

- 13 (1) Alarm system contractor. – A person or firm licensed under Chapter 74D of
14 the General Statutes.
- 15 (2) Commissioner. – The North Carolina Commissioner of Insurance.
- 16 (3) Electrical contractor. – A person or firm licensed under Article 4 of Chapter
17 87 of the General Statutes.
- 18 (4) Engineered special hazard fire suppression system. – A fire suppression
19 system having pipe lengths, number of fittings, number and types of nozzles,
20 suppression agent flow rates, and nozzle pressures calculated based on
21 appropriate standards of the National Fire Protection Association. An
22 engineered special hazard fire suppression system may include other
23 components, including, but not limited to, detection devices, alarm devices,
24 and control devices as tested and approved by a nationally recognized testing
25 laboratory, where the component's manufacturer determines the component is
26 compatible with the fire suppression system.
- 27 (5) Fire sprinkler contractor. – A person or firm licensed under Article 2 of
28 Chapter 87 of the General Statutes.
- 29 (6) Fire suppression system. – A firefighting system employing a suppression
30 agent with the purpose of controlling, suppressing, or extinguishing a fire in a
31 specific hazard, and includes an engineered special hazard fire suppression
32 system, an industrial fire suppression system, and a kitchen fire suppression
33 system.



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- 1 (7) Industrial fire suppression system. – A pre-engineered automatic fire
2 extinguishing system providing for the protection of property or equipment as
3 described by the manufacturer other than a system covered under the
4 definition of "kitchen fire suppression system." As used in this subdivision,
5 the term "pre-engineered" refers to a system having predetermined flow rates,
6 nozzle pressures, and quantities of an extinguishing agent.
- 7 (8) Kitchen fire suppression system. – A pre-engineered automatic fire
8 extinguishing system providing for the protection of grease removal devices,
9 hoods, duct systems, and cooking equipment. As used in this subdivision, the
10 term "pre-engineered" refers to a system having predetermined flow rates,
11 nozzle pressures, and quantities of an extinguishing agent.
- 12 (9) Suppression agent. – A recognized agent or water additive required to control,
13 suppress, or extinguish a fire. This term does not include an agent where the
14 primary extinguishing agent is water as utilized by a fire sprinkler system as
15 defined in G.S. 87-21(a)(11).
- 16 (10) Firm. – A business, person, partnership, organization, association, or
17 corporation.
- 18 (11) License. – The document issued by the Commissioner that authorizes a firm
19 to engage in the business of installation, inspection, repair, recharging,
20 service, or testing of fire suppression systems or portable fire extinguishers.
- 21 (12) Permit. – The document issued by the Commissioner that authorizes a person
22 to install, inspect, repair, recharge, service, or test fire suppression systems or
23 portable fire extinguishers.
- 24 (13) Plumbing contractor. – A person or firm licensed under Article 2 of Chapter
25 87 of the General Statutes.
- 26 (14) Portable fire extinguisher. – A portable device containing an extinguishing
27 agent that can be expelled under pressure for the purpose of suppressing or
28 extinguishing a fire.

29 **"§ 58-82B-2. Commissioner of Insurance to administer Article; rules and regulations.**

30 The Commissioner of Insurance, through the Office of the State Fire Marshal, has the
31 following powers and duties:

- 32 (1) To administer the provisions of this Article.
- 33 (2) To apply for and receive grants for the administration of this Article from
34 parties interested in upgrading and improving the quality of fire protection
35 provided by portable fire extinguishers or fire suppression systems.
- 36 (3) To adopt rules to enforce the purposes and provisions of this Article, including
37 rules with respect to the following:
- 38 a. Proper installation, inspection, recharging, repairing, servicing, or
39 testing of fire suppression systems or portable fire extinguishers.
- 40 b. Required specifications as to the number, type, size, shape, color, and
41 information and data contained thereon of service tags to be attached
42 to all portable fire extinguishers and fire suppression systems covered
43 by this Article when they are installed, inspected, recharged, repaired,
44 serviced, or tested.
- 45 c. The applicable standards of the National Fire Protection Association
46 or another nationally recognized organization, if the standards are
47 judged by the Commissioner to be suitable for the enforcement of this
48 Article.
- 49 d. Requiring an applicant for a license or permit to take an examination
50 as to the applicant's competence to be licensed or permitted under this

1 Article. If required, the applicant must take and pass the examination
2 according to requirements prescribed by the Commissioner.

3 **"§ 58-82B-3. License requirement.**

4 (a) License Required. – Except as otherwise provided in subsection (d) of this section,
5 no firm may install, inspect, repair, recharge, service, or test a fire suppression system or a
6 portable fire extinguisher that is required by the Commissioner's rules or by other State or local
7 fire safety rules unless the firm is licensed under this section.

8 (b) Requirements. – In order to issue a license under this section, the Commissioner shall
9 find that a firm has done all of the following:

10 (1) Submitted a completed application and paid the applicable fees.

11 (2) Not committed an act that is a ground for denial, suspension, probation,
12 revocation, or nonrenewal set forth in G.S. 58-82B-8.

13 (3) Been determined, by inspection of the Commissioner, to possess the
14 equipment required for the activities the applicant requests to be licensed to
15 perform. If the applicant includes in the request the high-pressure hydrostatic
16 testing of equipment, the applicant must submit a copy of its United States
17 Department of Transportation approval and renewals.

18 (4) Submitted to the Commissioner proof of a valid comprehensive liability
19 insurance policy purchased from an insurer authorized to do business in North
20 Carolina. The coverage must include bodily injury and property damage,
21 products liability, completed operations, and contractual liability. The proof
22 of insurance must also be provided before any license can be renewed. The
23 minimum amount of the coverage shall be one million dollars (\$1,000,000).
24 An insurer that provides this coverage shall notify the Commissioner of any
25 change in coverage.

26 (5) Paid a nonrefundable fee fixed by rule of the Commissioner when filing an
27 application for an examination, if the Commissioner requires an examination
28 pursuant to this Article.

29 (6) Successfully passed any examination, if the Commissioner requires an
30 examination pursuant to this Article.

31 (c) Application. – A firm applying for a license under this section shall apply on a form
32 prescribed by the Commissioner and declare under penalty of denial, suspension, or revocation
33 of the license that the statements made in the application are true, correct, and complete to the
34 best of the applicant's knowledge and belief. The Commissioner shall give an applicant 60 days
35 to correct any deficiencies in the application.

36 (d) Exemptions. – This section does not apply to the following:

37 (1) A fire chief, fire marshal, fire inspector, or insurance company inspector with
38 regard to the routine visual inspection of a fire suppression system or portable
39 fire extinguisher.

40 (2) An alarm system contractor, electrical contractor, fire sprinkler contractor, or
41 plumbing contractor while performing activities governed by the licensure
42 requirements of those occupational licenses, provided that licensure or
43 permitting under this Article is required for any work performed on any
44 portion of a fire suppression system beyond the point of connection to a
45 system required to be performed by an alarm system contractor, electrical
46 contractor, fire sprinkler contractor, or plumbing contractor.

47 (e) Notification of Changes. – A licensee shall notify the Commissioner within 30 days
48 of any change to the information provided to the Commissioner on the license application.

49 (f) Production of License. – A licensee must be able to produce a valid license upon
50 demand by the Commissioner or the Commissioner's representatives, or by any local authority

1 having jurisdiction for fire protection or prevention, or by any person for whom the licensee or
2 permittee solicits to perform any of the activities covered by this Article.

3 **"§ 58-82B-4. Permit requirement.**

4 (a) Permit Required. – Except as otherwise provided in subsection (e) of this section, no
5 person may install, inspect, repair, recharge, service, or test a fire suppression system or a
6 portable fire extinguisher that is required by the Commissioner's rules or by other State or local
7 fire safety rules unless the person is permitted under this section. In order to obtain a permit under
8 this section, a person must be certified to install, inspect, repair, recharge, service, or test one or
9 more of the systems or devices listed in this subsection, and the permit must indicate, on its face,
10 each of the systems or devices for which the person is being permitted. The systems or devices
11 are:

- 12 (1) Portable fire extinguishers.
- 13 (2) Pre-engineered kitchen fire suppression systems.
- 14 (3) Pre-engineered industrial fire suppression systems.
- 15 (4) Engineered special hazard fire suppression systems.

16 (b) Requirements. – Before approving a permit for a person, the Commissioner shall find
17 that the person has:

- 18 (1) Submitted a completed application and paid the applicable fees.
- 19 (2) Identified a validly licensed firm for whom the applicant will be performing
20 work as a permittee pursuant to this Article.
- 21 (3) Not committed an act that is a ground for denial, suspension, probation,
22 revocation, or nonrenewal set forth in G.S. 58-82B-8.
- 23 (4) Satisfied all requirements of this Article.
- 24 (5) Paid a nonrefundable fee fixed by rule of the Commissioner when filing an
25 application for an examination, if the Commissioner requires an examination
26 pursuant to this Article.
- 27 (6) Successfully passed any examination, if the Commissioner requires an
28 examination pursuant to this Article.

29 (c) Application. – A person applying for a permit shall apply on a form prescribed by the
30 Commissioner and declare under penalty of denial, suspension, or revocation of the permit that
31 the statements made in the application are true, correct, and complete to the best of the person's
32 knowledge and belief. A permit application shall include the name of the licensee employing the
33 applicant. The Commissioner shall give an applicant 60 days to correct any deficiencies in the
34 application.

35 (d) Form of Permit. – A permit shall indicate the systems or devices for which the
36 permittee is certified to install, inspect, repair, recharge, service, or test. A permittee may not
37 install, inspect, repair, recharge, service, or test any system or device that is not indicated on the
38 permit.

39 (e) Exemptions. – This section does not apply to the following:

- 40 (1) A fire chief, fire marshal, fire inspector, or insurance company inspector with
41 regard to the routine visual inspection of a fire suppression system or portable
42 fire extinguisher.
- 43 (2) An alarm system contractor, electrical contractor, fire sprinkler contractor, or
44 plumbing contractor while performing activities governed by the licensure
45 requirements of those occupational licenses, provided that licensure or
46 permitting under this Article is required for any work performed on any
47 portion of a fire suppression system beyond the point of connection to a
48 system required to be performed by an alarm system contractor, electrical
49 contractor, fire sprinkler contractor, or plumbing contractor.
- 50 (3) A person who does any of the activities listed in this subdivision with respect
51 to a fire suppression system or a portable fire extinguisher that is owned and

1 already installed on property controlled by a firm or governmental entity for
2 whom the person is employed. However, nothing in this subdivision exempts
3 a firm or governmental entity from complying with the licensing requirements
4 of this Article. The activities are:

- 5 a. Making minor repairs or minor replacements.
- 6 b. Performing routine visual inspections.
- 7 c. Recharging, servicing, or testing.

8 (f) Notification of Changes. – A permittee shall notify the Commissioner within 30 days
9 of any change to the information provided to the Commissioner on the permit application.

10 (g) Production of Permit. – A permittee must:

- 11 (1) Have a valid permit upon the permittee's person at all times while engaging in
12 the installing, inspecting, recharging, repairing, servicing, or testing of fire
13 suppression systems or portable fire extinguishers.
- 14 (2) Be able to produce a valid permit, as appropriate, upon demand by the
15 Commissioner or the Commissioner's representatives, or by any local
16 authority having jurisdiction for fire protection or prevention, or by any person
17 for whom the permittee solicits to perform any of the activities covered by this
18 Article.

19 **"§ 58-82B-5. Terms of licenses and permits; fees; failure to renew.**

20 (a) Fees. – The Commissioner shall charge an applicant for a license or permit issued
21 under this Article the nonrefundable fees listed in this section. A license or permit issued under
22 this Article shall expire on December 31 of each year. A firm or person that is licensed or
23 permitted under this Article shall annually, on or before December 31 of each year, renew the
24 license or permit and pay the required renewal fee. A permittee must also renew each certification
25 for which the permittee is certified. The fees required by this section do not apply to an employee
26 of the federal government, the State, a local government, or to a member of a legally organized
27 fire department while acting in the member's official capacity. The fees are:

28	Issuance of license.....	\$375.00
29	License renewal.....	\$225.00
30	Issuance of permit	
31	Portable fire extinguisher certification fee.....	\$285.00
32	Pre-engineered kitchen fire suppression system certification fee.....	\$285.00
33	Pre-engineered industrial fire suppression system certification fee.....	\$285.00
34	Engineered special hazard fire suppression system certification fee.....	\$285.00
35	Permit renewal	
36	Portable fire extinguisher certification renewal fee.....	\$175.00
37	Pre-engineered kitchen fire suppression system certification renewal fee.....	\$175.00
38	Pre-engineered industrial fire suppression system certification renewal fee.....	\$175.00
39	Engineered special hazard fire suppression system certification renewal fee.....	\$175.00

40 (b) Failure to Renew. – The failure to renew a license or permit by December 31 of each
41 year shall cause the license or permit to become inoperative. A license or permit that is
42 inoperative because of the failure to renew the license or permit shall be restored upon payment
43 of the applicable fee, plus a penalty equal to the applicable fee, if the fee and penalty are paid
44 within 90 days of expiration. After 90 days, a former licensee or former permittee must apply for
45 a new license or permit as required for an initial license or permit.

46 **"§ 58-82B-6. Reciprocity.**

47 The Commissioner may issue a license or permit under this Article to a firm or person who
48 holds a comparable valid permit, license, or certification issued by another state, provided the
49 minimum requirements of that state are at least equal to the minimum requirements under this
50 Article for the specific license or permit issued and the firm or the person pays the application
51 and filing fees required under this Article.

1 **"§ 58-82B-7. Tags required.**

2 It is unlawful for a person to install, inspect, recharge, repair, service, or test a fire suppression
3 system or a portable fire extinguisher without attaching the required tag or tags completed in
4 detail, including the actual month, day, and year the work was performed, or to use a tag not
5 meeting the specifications set forth by the Commissioner.

6 **"§ 58-82B-8. Grounds for denial, suspension, probation, revocation, or nonrenewal of a**
7 **license or permit.**

8 The Commissioner may deny, suspend, place on probation, revoke, or refuse to renew a
9 license or permit under this Article, in accordance with the provisions of Article 3A of Chapter
10 150B of the General Statutes, for the following reasons:

- 11 (1) Performing any action for which a license or permit is required under this
12 Article without having first obtained such license or permit.
- 13 (2) Improperly installing, recharging, repairing, servicing, inspecting, or testing a
14 portable fire extinguisher or fire suppression system.
- 15 (3) Rendering inoperative a fire suppression system or portable fire extinguisher
16 covered by this Article, except during the time the extinguisher or system is
17 being inspected, recharged, repaired, serviced, or tested or except pursuant to
18 court order.
- 19 (4) Material misstatement, misrepresentation, or fraud in obtaining a license or
20 permit under this Article.
- 21 (5) Failing to provide proof of or maintain the minimum comprehensive liability
22 insurance coverage as set forth in G.S. 58-82B-3.
- 23 (6) Failing to notify the Commissioner, in writing, within 30 days after a change
24 of any information required on applications under G.S. 58-82B-3 and
25 G.S. 58-82B-4.
- 26 (7) Cheating on an examination for a license or permit, if an examination is
27 required by the Commissioner pursuant to this Article.
- 28 (8) Having any professional license denied, suspended, or revoked in this State or
29 any other jurisdiction for causes substantially similar to those listed in this
30 section.
- 31 (9) Failing or refusing to comply with a cease and desist order or any other notice
32 or order to correct a violation related to conduct governed by this Article.
- 33 (10) Retaining an officer, director, stockholder, owner, or person who has a direct
34 or indirect interest that has had his or her license or permit suspended or
35 revoked under this Article.
- 36 (11) Serving or previously serving as an officer, director, stockholder, or owner of
37 a firm whose license has been suspended or revoked under this Article, or who
38 has or had a direct or indirect interest in a firm whose license has been
39 suspended or revoked under this Article.
- 40 (12) While holding a license or permit, using a license or permit, or license number
41 or permit number other than his or her own valid license or permit, or license
42 number or permit number.
- 43 (13) Using credentials, methods, means, or practices to impersonate a
44 representative of the Commissioner or the State Fire Marshal or any local fire
45 chief, fire marshal, or other fire authority having jurisdiction.
- 46 (14) A cause for which the issuance of the license or permit could have been denied
47 had it been known to the Commissioner at the time of issuance.
- 48 (15) Failing to obtain, retain, or maintain one or more of the qualifications for a
49 license or permit required by this Article.
- 50 (16) Knowingly aiding or abetting others to evade or violate the provisions of this
51 Article.

1 (17) Conviction of a felony.

2 (18) Violating any other provision of this Article or any rule or regulation adopted
3 and promulgated pursuant to this Article.

4 (19) A cause sufficient to deny, suspend, or revoke the license or permit under any
5 other provision of this Article.

6 **"§ 58-82B-9. License or permit sanction and denial procedures.**

7 (a) Authority. – The suspension, placing on probation, revocation, denial, or refusal to
8 renew a license or permit under this Article shall be in accordance with the provisions of Chapter
9 150B of the General Statutes.

10 (b) Notice of Denial. – Whenever the Commissioner denies an initial application or an
11 application for a reissuance of a license or permit under this Article, the Commissioner, no later
12 than 30 days after denial, shall notify the applicant in writing of the reasons for the denial of the
13 license or permit. The applicant may also be denied for any reasons for which a license or permit
14 may be suspended or revoked or not renewed under G.S. 58-82B-8.

15 (c) Review. – In order for an applicant to be entitled to a review of the Commissioner's
16 action to determine the reasonableness of the action, the applicant must make a written demand
17 upon the Commissioner for a review no later than 30 days after service of the notification upon
18 the applicant. The review shall be completed without undue delay, and the applicant shall be
19 notified in writing no later than 120 days after receipt by the Commissioner of the written demand
20 by the applicant of the outcome of the review.

21 (d) Hearing. – In order for an applicant who disagrees with the outcome of the review to
22 be entitled to a hearing under Article 3A of Chapter 150B of the General Statutes, the applicant
23 must make a written demand upon the Commissioner for a hearing no later than 30 days after
24 service upon the applicant of the notification of the outcome.

25 (e) Surrender of License or Permit. – A licensee or permittee whose license or permit is
26 suspended, revoked, or not renewed shall surrender the license or permit to the Commissioner
27 within 30 days of the suspension, revocation, or nonrenewal.

28 (f) Limitations During Suspension or Revocation. – The following limitations apply
29 during a period of suspension or revocation:

30 (1) A licensee or permittee whose license or permit has been suspended or
31 revoked shall not engage in or attempt or profess to engage in any transaction
32 or business for which a license or permit is required under this Article or
33 directly or indirectly own, control, or be employed in any manner by any firm
34 for which a license or permit under this Article is required.

35 (2) If, during the period between the beginning of proceedings and the entry of an
36 order of suspension or revocation by the Commissioner, a new license or
37 permit has been issued to the firm or person charged, the order of suspension
38 or revocation shall operate to suspend or revoke, as the case may be, the new
39 license or permit held by the firm or person.

40 (3) The Commissioner shall not, so long as the revocation or suspension remains
41 in effect, issue a new license for the establishment of a new firm that has or
42 will have the same or similar management, ownership, control, employees, or
43 permittees, or will use the same or a similar name as the revoked or suspended
44 firm.

45 **"§ 58-82B-10. Cease and desist orders; period of revocation.**

46 (a) Authority. – Whenever the Commissioner has reason to believe that a person or firm
47 is or has been violating any provisions of this Article, the Commissioner may issue and deliver
48 to the person or firm an order to cease and desist the violation.

49 (b) Notice and Hearing. – An order issued by the Commissioner under this section shall
50 contain or be accompanied by a notice of opportunity for hearing which may provide that a
51 hearing will be held if, and only if, a person or firm subject to the order requests a hearing within

1 30 days of receipt of the order and notice. The Commissioner shall serve the order and notice by
2 hand delivery or by registered or certified mail.

3 (c) Failure to Comply. – Failure to comply with a cease and desist order is cause for
4 revocation of any or all permits and licenses issued by the Commissioner for a period of not less
5 than six months and not to exceed five years. If a new permit or license has been issued to the
6 firm or person, the order of revocation shall operate effectively with respect to the new permits
7 and licenses held by the firm or person.

8 **"§ 58-82B-11. Civil penalty; injunction.**

9 (a) Civil Penalty. – A person or firm who violates any provision of this Article, or any
10 rule or order issued by the Commissioner under this Article is subject to a civil penalty imposed
11 by the Commissioner of not more than one thousand dollars (\$1,000) for a first offense, not less
12 than one thousand dollars (\$1,000) and not more than two thousand dollars (\$2,000) for a second
13 offense, and not less than two thousand dollars (\$2,000) or more than five thousand dollars
14 (\$5,000) for a third or subsequent offense. The clear proceeds of a civil penalty assessed under
15 this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with
16 G.S. 115C-457.2.

17 (b) Notice. – Prior to subjecting a person or firm to a penalty under this subsection, the
18 Commissioner shall give written notice of the violation to the person or firm by hand delivery or
19 by registered or certified mail. No later than 30 days after written notice is given under this
20 section, the Commissioner shall issue an order. The order must be delivered in accordance with
21 the provisions of subsection G.S. 58-82B-10(b) and must notify the person or firm of the right to
22 a hearing only if that person or firm requests a hearing within 30 days of receipt of the order.

23 (c) Civil Action. – In addition to other powers granted to the Commissioner under this
24 Article, the Commissioner may bring a civil action to enjoin a violation of any provision of this
25 Article or of any rule or order issued by the Commissioner under this Article.

26 **"§ 58-82B-12. Criminal penalty.**

27 It is a Class 1 misdemeanor to willfully or intentionally do any of the following:

- 28 (1) Obliterate the serial number on a fire suppression system or portable fire
29 extinguisher for the purpose of falsifying service records.
- 30 (2) Improperly install a fire suppression system or improperly recharge, repair,
31 service, or test any fire suppression system or portable fire extinguisher.
- 32 (3) While holding a license or permit, allow another firm or person to use the
33 permit or license, or permit number or license number.
- 34 (4) Use a license or permit, or license number or permit number, belonging to
35 another firm or person.
- 36 (5) Use any credential, method, means, or practice to impersonate a representative
37 of the Commissioner or the State Fire Marshal or any local fire chief, fire
38 marshal, or other fire authority having jurisdiction.
- 39 (6) Engage in the business of installing, inspecting, recharging, repairing,
40 servicing, or testing portable fire extinguishers or fire suppression systems,
41 except in conformity with the provisions of this Article and the applicable
42 rules and regulations of the Commissioner.
- 43 (7) Fail to comply with a cease and desist order under G.S. 58-82B-11.

44 **"§ 58-82B-13. Power of the State and local governments to regulate not limited.**

45 (a) Nothing in this Article limits the power of the State or a unit of local government to
46 require the submission and approval of plans and specifications or to regulate the quality and
47 character of work performed by any person, firm, or governmental entity, for the protection of
48 the public health and safety.

49 (b) No unit of local government shall impose any other requirements on firms or persons
50 licensed or permitted by the Commissioner as set forth in this Article to prove competency to
51 conduct any activity covered by the license or permit."

1 **SECTION 2.** The Department of Insurance shall report to the Joint Legislative
2 Administrative Procedure Oversight Committee no later than October 1, 2020, with information
3 indicating how many licenses and permits have been issued since the implementation of this
4 Article and any issues relevant to the regulation of activities under Article 82B of Chapter 58 of
5 the General Statutes, and may make any recommendations as to whether the license or permit
6 fees established in this Article need to be adjusted so that the continued administration of this
7 Article is receipt-supported.

8 **SECTION 3.** The Department of Insurance may adopt temporary rules to implement
9 the provisions of this Article. Any temporary rules adopted in accordance with this section shall
10 remain in effect until permanent rules that replace the temporary rules become effective.

11 **SECTION 4.** This act becomes effective January 1, 2020.