

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1062**

Introduced by Bostar, 29.

Read first time January 14, 2026

Committee:

1 A BILL FOR AN ACT relating to insurance; to amend sections 44-150,  
2 44-4055, 44-4059, and 44-4064, Reissue Revised Statutes of Nebraska,  
3 and section 44-4605, Revised Statutes Cumulative Supplement, 2024;  
4 to change provisions relating to reciprocal licenses and retaliatory  
5 measures; to change provisions relating to nonresident license  
6 requirements and the process for issuance, verification, and  
7 termination of such licenses under the Insurance Producers Licensing  
8 Act; to change fees under the Insurance Producers Licensing Act; to  
9 provide certain penalties and require notification of certain  
10 material changes under the Pharmacy Benefit Manager Licensure and  
11 Regulation Act; and to repeal the original sections.  
12 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 44-150, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           44-150 (1) When by or pursuant to the laws of any other state or  
4 foreign country any taxes, licenses and other fees, in the aggregate, or  
5 any fines, penalties, deposit requirements, or other material  
6 obligations, prohibitions, or restrictions, are or would be imposed upon  
7 Nebraska insurers, or upon the agents or representatives of such  
8 insurers, which are in excess of such taxes, licenses and other fees, in  
9 the aggregate, or which are in excess of the fines, penalties, deposit  
10 requirements, or other obligations, prohibitions, or restrictions  
11 directly imposed upon similar insurers, or upon the agents or  
12 representatives of such insurers, of such other state or country under  
13 the statutes of this state, so long as such laws of such other state or  
14 country continue in force or are so applied, the same taxes, licenses and  
15 other fees, in the aggregate, or fines, penalties, deposit requirements,  
16 or other material obligations, prohibitions, or restrictions of whatever  
17 kind shall be imposed by the Director of Insurance upon the insurers, or  
18 upon the agents or representatives of such insurers, of such other state  
19 or country doing business or seeking to do business in Nebraska. Any tax,  
20 license or other fee, or other obligation imposed by any city, county, or  
21 other political subdivision or agency of such other state or country on  
22 Nebraska insurers or their agents or representatives shall be deemed to  
23 be imposed by such state or country within the meaning of this section.

24           (2) This section shall not apply as to personal income taxes, nor as  
25 to ad valorem taxes on real or personal property nor as to special-  
26 purpose obligations or assessments heretofore imposed by another state in  
27 connection with particular kinds of insurance, other than property  
28 insurance; except that deductions, from premium taxes or other taxes  
29 otherwise payable, allowed on account of real estate or personal property  
30 taxes paid shall be taken into consideration by the Director of Insurance  
31 in determining the propriety and extent of retaliatory action under this

1 section.

2 ~~(3) Nothing in this section shall require retaliatory action because~~  
3 ~~of fees, obligations, or prohibitions imposed on Nebraska insurance~~  
4 ~~producers licensed pursuant to the Insurance Producers Licensing Act.~~

5 (3) (4) For the purposes of this section the domicile of an alien  
6 insurer, other than insurers formed under the laws of Canada, shall be  
7 that state designated by the insurer in writing filed with the Director  
8 of Insurance at time of admission to this state or within twelve months  
9 after September 28, 1959, whichever date is the later, and may be any one  
10 of the following states: (a) That in which the insurer was first  
11 authorized to transact insurance; (b) that in which is located the  
12 insurer's principal place of business in the United States; or (c) that  
13 in which is held the larger deposit of trusteed assets of the insurer for  
14 the protection of its policyholders and creditors in the United States.

15 If the insurer makes no such designation its domicile shall be  
16 deemed to be that state in which is located its principal place of  
17 business in the United States.

18 In the case of an insurer formed under the laws of Canada or a  
19 province thereof, its domicile shall be deemed to be that province in  
20 which its head office is situated.

21 **Sec. 2.** Section 44-4055, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 44-4055 (1) Unless denied licensure pursuant to section 44-4059, a  
24 nonresident person shall receive a nonresident insurance producer license  
25 if:

26 (a) The person is currently licensed as a resident and in good  
27 standing in his or her home state;

28 (b) The person has submitted the proper request for licensure and  
29 has paid the fees required by section 44-4064;

30 (c) The person has submitted or transmitted to the director the  
31 application for licensure that the person submitted to his or her home

1 state, or in lieu of the same, a completed uniform application; and

2 (d) The person's home state awards nonresident producer licenses to  
3 residents of this state on the same basis.

4 (2) The director may verify the insurance producer's licensing  
5 status through the producer database maintained by the National  
6 Association of Insurance Commissioners, ~~or~~ its affiliates or  
7 subsidiaries, or any successor, or by contacting the person's home state  
8 regulator.

9 (3) A nonresident insurance producer who moves from one state to  
10 another state or a resident producer who moves from this state to another  
11 state shall file a change of address and provide certification from the  
12 new resident state within thirty days of the change of legal residence.  
13 No fee or license application is required for the filing of the change of  
14 address.

15 (4) Notwithstanding any other provision of the Insurance Producers  
16 Licensing Act, a person licensed as a surplus lines insurance producer in  
17 his or her home state shall receive a nonresident surplus lines producer  
18 license pursuant to subsection (1) of this section. Except as to  
19 subsection (1) of this section, nothing in this section otherwise amends  
20 or supersedes any provision of the Surplus Lines Insurance Act.

21 (5) Notwithstanding any other provisions of the Insurance Producers  
22 Licensing Act, a person licensed as a limited line credit insurance  
23 producer, a limited line pre-need funeral insurance producer, or other  
24 type of limited lines producer in his or her home state shall receive a  
25 nonresident limited lines insurance producer license, pursuant to  
26 subsection (1) of this section, granting the same scope of authority as  
27 granted under the license issued by the producer's home state.

28 (6) If a nonresident licensee's license or authority in the  
29 licensee's home state is no longer active, whether as a result of  
30 suspension, revocation, termination, lapse, voluntary surrender, or other  
31 action by the home state regulator, the director may cancel the

1 nonresident licensee's license or authority granted in this state by  
2 sending an order of license revocation to the licensee. The licensee may  
3 make written demand upon the director within thirty days after receiving  
4 such order of license revocation for a hearing before the director to (a)  
5 provide proof the licensee is currently licensed as a resident and in  
6 good standing in his or her home state or (b) provide proof of a license  
7 granted in accordance with subsection (3) of this section. Such hearing  
8 shall be held within thirty days after the date a request for hearing is  
9 received and shall be held pursuant to the Administrative Procedure Act.  
10 If no hearing is requested within thirty days after receipt of an order  
11 of license revocation, the order of license revocation shall become a  
12 final order.

13       **Sec. 3.** Section 44-4059, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15       44-4059 (1) The director may suspend, revoke, or refuse to issue or  
16 renew an insurance producer's license or may levy an administrative fine  
17 in accordance with subsection (5) ~~(4)~~ of this section, or any combination  
18 of actions, for any one or more of the following causes:

19       (a) Providing incorrect, misleading, incomplete, or materially  
20 untrue information in the license application;

21       (b) Violating any insurance law or violating any rule, regulation,  
22 subpoena, or order of the director or of another state's insurance  
23 commissioner or director;

24       (c) Obtaining or attempting to obtain a license through  
25 misrepresentation or fraud;

26       (d) Improperly withholding, misappropriating, or converting any  
27 money or property received in the course of doing insurance business;

28       (e) Intentionally misrepresenting the terms of an actual or proposed  
29 insurance contract or application for insurance;

30       (f) Having been convicted of a felony or a Class I, II, or III  
31 misdemeanor;

1 (g) Having admitted or been found to have committed any insurance  
2 unfair trade practice, any unfair claims settlement practice, or fraud;

3 (h) Using fraudulent, coercive, or dishonest practices, or  
4 demonstrating incompetence, untrustworthiness, or financial  
5 irresponsibility in the conduct of business in this state or elsewhere;

6 (i) Having an insurance producer license, or its equivalent, denied,  
7 suspended, placed on probation, or revoked in Nebraska or in any other  
8 state, province, district, or territory;

9 (j) Forging another's name to an application for insurance or to any  
10 document related to an insurance transaction;

11 (k) Improperly using notes or any other reference material to  
12 complete an examination for an insurance license;

13 (l) Knowingly accepting insurance business from an individual who is  
14 not licensed;

15 (m) Failing to comply with an administrative or court order imposing  
16 a child support obligation pursuant to the License Suspension Act; and

17 (n) Failing to pay state income tax or comply with any  
18 administrative or court order directing payment of state income tax. ÷  
19 and

20 (2) If the director has notice that a nonresident licensee failed to  
21 maintain, in good standing, a resident license in the insurance  
22 producer's home state, the nonresident license shall be automatically  
23 revoked by the director and the director shall not be required to issue  
24 an order of license revocation in accordance with subsection (6) of  
25 section 44-4055 or renew such license.

26 ~~(o) Failing to maintain in good standing a resident license in the~~  
27 ~~insurance producer's home state.~~

28 (3) ~~(2)~~ If the director does not renew or denies an application for  
29 a license, the director shall notify the applicant or licensee and  
30 advise, in writing, the applicant or licensee of the reason for the  
31 denial or nonrenewal of the applicant's or licensee's license. The

1 applicant or licensee may make written demand upon the director within  
2 thirty days for a hearing before the director to determine the  
3 reasonableness of the director's action. The hearing shall be held within  
4 thirty days and shall be held pursuant to the Administrative Procedure  
5 Act.

6 (4) ~~(3)~~ The license of a business entity may be suspended, revoked,  
7 or refused if the director finds, after notice and hearing, that an  
8 individual licensee's violation was known or should have been known by  
9 one or more of the partners, officers, or managers acting on behalf of  
10 the business entity and the violation was neither reported to the  
11 director nor corrective action taken.

12 (5) ~~(4)~~ In addition to or in lieu of any applicable denial,  
13 suspension, or revocation of a license, any person violating the  
14 Insurance Producers Licensing Act may, after notice and hearing, be  
15 subject to an administrative fine of not more than one thousand dollars  
16 per violation. Such fine may be enforced in the same manner as civil  
17 judgments. Any person charged with a violation of the act may waive his  
18 or her right to a hearing and consent to such discipline as the director  
19 determines is appropriate. The Administrative Procedure Act shall govern  
20 all hearings held pursuant to such act.

21 (6) ~~(5)~~ The director shall retain the authority to enforce the  
22 provisions of and impose any penalty or remedy authorized by the  
23 Insurance Producers Licensing Act against any person who is under  
24 investigation for or charged with a violation of the act even if the  
25 person's license or registration has been surrendered or has lapsed by  
26 operation of law. No disciplinary proceeding shall be instituted against  
27 any licensed person after the expiration of three years from the  
28 termination of such license.

29 **Sec. 4.** Section 44-4064, Reissue Revised Statutes of Nebraska, is  
30 amended to read:

31 44-4064 (1) Before any license or appointment is issued or renewed

1 under the Insurance Producers Licensing Act or before any appointment is  
2 terminated, the person requesting such license shall pay or cause to be  
3 paid to the director the following fee or fees, if applicable, as  
4 established by the director:

5 (a) For each insurance producer license, a fee not to exceed one  
6 hundred dollars, except that if any other state imposes additional or  
7 greater fees, obligations, or prohibitions on Nebraska resident insurance  
8 producers, then such additional greater fees, obligations, or  
9 prohibitions shall be imposed upon similar insurance producers of such  
10 other state applying for a license in Nebraska;

11 (b) For each annual appointment, a fee not to exceed ten dollars;

12 (c) For each termination of an appointment, a fee not to exceed ten  
13 dollars;

14 (d) A late renewal fee not to exceed one hundred twenty-five  
15 dollars;

16 (e) A reinstatement fee not to exceed one hundred seventy-five  
17 dollars; and

18 (f) For each business entity license, a fee not to exceed fifty  
19 dollars, except that if any other state imposes additional or greater  
20 fees, obligations, or prohibitions on Nebraska business entities, then  
21 such additional greater fees, obligations, or prohibitions shall be  
22 imposed upon similar business entities of such other state applying for a  
23 license in Nebraska.

24 (2) If a licensed person (a) desires to add a line or lines of  
25 insurance to his or her existing license, (b) seeks to change any other  
26 information contained in the license for any reason, or (c) applies for a  
27 duplicate license, such person shall pay to the director a fee  
28 established by the director to cover the expense of replacing the  
29 license.

30 (3) The director shall not prorate fees imposed pursuant to  
31 subsection (1) of this section and shall not refund fees to any person in



1 the event of a license denial. The director may refund fees paid pursuant  
2 to this section if the payment has been made in error.

3 **Sec. 5.** Section 44-4605, Revised Statutes Cumulative Supplement,  
4 2024, is amended to read:

5 44-4605 (1) A person shall not establish or operate as a pharmacy  
6 benefit manager in this state for a health benefit plan without first  
7 obtaining a license from the director under the Pharmacy Benefit Manager  
8 Licensure and Regulation Act.

9 (2) The director may adopt and promulgate rules and regulations  
10 establishing the licensing application, financial, and reporting  
11 requirements for pharmacy benefit managers under the act.

12 (3) A person applying for a pharmacy benefit manager license shall  
13 submit an application for licensure in the form and manner prescribed by  
14 the director.

15 (4) A person submitting an application for a pharmacy benefit  
16 manager license shall include with the application a nonrefundable  
17 application fee. The director shall establish the nonrefundable  
18 application fee in an amount not to exceed five hundred dollars.

19 (5) The director may refuse to issue or renew a license if the  
20 director determines that the applicant or any individual responsible for  
21 the conduct of affairs of the applicant is not competent, trustworthy,  
22 financially responsible, or of good personal and business reputation, has  
23 been found to have violated the insurance laws of this state or any other  
24 jurisdiction, or has had an insurance or other certificate of authority  
25 or license denied or revoked for cause by any jurisdiction.

26 (6)(a) Unless surrendered, suspended, or revoked by the director, a  
27 license issued under this section is valid as long as the pharmacy  
28 benefit manager continues to do business in this state and remains in  
29 compliance with the provisions of the act and any applicable rules and  
30 regulations, including the completion of a renewal application on a form  
31 prescribed by the director and payment of an annual license renewal fee.

1 The director shall establish the annual license renewal fee in an amount  
2 not to exceed two hundred fifty dollars.

3 (b) Such application and renewal fee shall be received by the  
4 director on or before thirty days prior to the anniversary of the  
5 effective date of the pharmacy benefit manager's initial or most recent  
6 license.

7 (c) Subject to subdivision (6)(d) of this section, if a pharmacy  
8 benefit manager fails to comply with subdivision (6)(b) of this section:

9 (i) Such pharmacy benefit manager shall pay a fine of one hundred  
10 dollars for each day such failure continues and the pharmacy benefit  
11 manager continues to transact any business in this state; and

12 (ii) In addition to the fine required under subdivision (6)(c)(i) of  
13 this section, if the renewal application and fee are not received prior  
14 to the anniversary of the effective date of the pharmacy benefit  
15 manager's initial or most recent license, the pharmacy benefit manager's  
16 license shall be suspended until the pharmacy benefit manager has  
17 complied with subdivision (6)(b) of this section, any rules and  
18 regulations adopted and promulgated under this section, and any orders  
19 issued under this section. The director shall remit all such fines to the  
20 State Treasurer for distribution in accordance with Article VII, section  
21 5, of the Constitution of Nebraska.

22 (d) For good and sufficient cause shown, the director may grant a  
23 reasonable extension of time not to exceed thirty days within which the  
24 renewal application and fee may be filed as required under subdivision  
25 (6)(b) of this section without the fine required under subdivision (6)(c)  
26 (i) of this section and without any suspension authorized under  
27 subdivision (6)(c)(ii) of this section.

28 (7) A pharmacy benefit manager shall immediately notify the director  
29 of any material change in its ownership or control or other fact or  
30 circumstance affecting its qualification for a license as a pharmacy  
31 benefit manager in this state.

1           **Sec. 6.**   Original sections 44-150, 44-4055, 44-4059, and 44-4064,  
2   Reissue Revised Statutes of Nebraska, and section 44-4605, Revised  
3   Statutes Cumulative Supplement, 2024, are repealed.