

**304.9-133 Individuals designated to act under business entity license -- Filing of designation notice -- Exercise of license -- Responsibility of insurer for acts of designated individuals.**

- (1) As used in this section, "licensed business entity" means a business entity issued a:
  - (a) License under this subtitle; or
  - (b) Life settlement broker, life settlement provider, or surplus lines broker license.
- (2)
  - (a) Except as provided in this subsection:
    1. A licensed business entity shall designate individuals to act under the business entity license; and
    2. Each individual designated to act under the license of a business entity referenced in subparagraph 1. of this paragraph shall hold the same kind of license as the business entity.
  - (b) A portable electronics retailer issued a license shall designate a business entity to act under the license.
  - (c) A managing general agent issued a license shall designate individuals licensed as agents with property and casualty lines of authority to act under the license.
  - (d) A pharmacy benefit manager issued a license shall designate individuals licensed as administrators to act under the license.
- (3)
  - (a) The first individual designated by a licensed business entity to act under the business entity license shall have one (1) or more of the same lines of authority as the business entity.
  - (b) An individual designated to act under the business entity license who is in addition to the first designee referenced in paragraph (a) of this subsection shall have at least one (1) appointment with an insurer.
- (4) A licensed business entity shall file with the commissioner:
  - (a) Notice of the designation of an individual within thirty (30) days of the designation; and
  - (b) Notice of termination of designation of an individual within thirty (30) days of the termination of designation.
- (5)
  - (a) Except as provided in subsection (2)(b) of this section, a licensed business entity shall exercise its license only through one (1) or more designated individual licensees.
  - (b)
    1. The business entity shall have for each of its licenses and active lines of authority at least one (1) licensed individual designated with the commissioner at all times.
    2. If the business entity fails to have at least one (1) licensed individual designated with the commissioner for a line of authority, that line of authority shall become inactive.
    3. If the business entity fails to have at least one (1) licensed individual designated with the commissioner, the business entity license shall terminate.

- (6) An insurer that has appointed the business entity licensee shall be responsible for the acts of each designated individual performed under the business entity's license as if the insurer had appointed the individual licensee.

**Effective:** July 15, 2026

**History:** Amended 2026 Ky. Acts ch. 45, sec. 12, effective July 15, 2026. -- Amended 2010 Ky. Acts ch. 24, sec. 1051, effective July 15, 2010; and ch. 83, sec. 3, effective July 15, 2010. -- Amended 2008 Ky. Acts ch. 32, sec. 13, effective July 15, 2008. -- Amended 2005 Ky. Acts ch. 143, sec. 8, effective June 20, 2005. -- Created 2002 Ky. Acts ch. 273, sec. 24, effective July 15, 2002.

**Legislative Research Commission Note** (7/15/2010). This section was amended by 2010 Ky. Acts chs. 24 and 83. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 83, which was last enacted by the General Assembly, prevails under KRS 446.250.