

**10-15-103. License procedure - records - examination of records.**

(4) (a) The contract seller shall make all books and records available to the commissioner for examination. The commissioner, or a qualified person designated by the commissioner, ~~may, not more frequently than once in any calendar year unless pursuant to order of court for good cause shown,~~ during ordinary business hours, SHALL examine the books, records, and accounts of the contract seller AT LEAST ONCE EVERY FIVE YEARS, AND MORE OFTEN AS NECESSARY TO ENSURE COMPLIANCE WITH THIS ARTICLE, and for that purpose may require the attendance of and examine under oath all persons whose testimony the commissioner may require.

(b) ~~The commissioner shall make every reasonable effort to utilize examiners employed by the division of insurance in preference to designating persons to perform examinations who are not employees of the division of insurance. However, in the event of evidence of a violation of this article, the commissioner~~ may designate a qualified person who is not an employee of the division of insurance to examine any contract seller, and the reasonable expenses and charges of such examiner shall be paid directly by the contract seller to any such authorized examiner. The examinee may contest the amount of fees, costs, and expenses charged to it by such person by filing an objection with the commissioner ~~which~~ THAT sets forth the charges ~~which~~ the examinee considers to be unreasonable, together with the basis for such claim of unreasonable charges. No amounts ~~which~~ THAT are so disputed will be due to the examiner unless and until the commissioner has reviewed the objection and made a written finding that the disputed charges were reasonable in relation to the examination performed.