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July 17, 2019

The Honorable Mike Chaney
Chair, Catastrophe Insurance Working Group
National Association of Insurance Commissioners
444 North Capitol Street NW
Suite 700
Washington, DC 20001

Dear Commissioner Chaney:

On behalf of 1.3 million members of the National Association of REALTORS® (NAR), thank you for the request for comments on the NAIC Actions for State Regulators in Building the Private Flood Insurance Market. The draft document outlines best practices that states can take to assist with the development of the burgeoning private market to provide consumer choices to the existing National Flood Insurance Program (NFIP).

NAR would generally support best practices guidance or model legislation to help the states to tailor their insurance laws to meet the unique peril of flooding. NAR would note that:

- Floods are now costing U.S. households \$20 billion each year, yet only 16 percent is insured;¹
- By FEMA's own admission, the NFIP alone cannot close this insurance gap;² it will also take a significant expansion of the private flood insurance market;
- While the federal government can help somewhat with this,³ only state governments can regulate private flood insurance, which will determine whether insurers can enter a state's markets or not;
- Unfortunately, most states do not currently have laws specific to private flood insurance and therefore have no official position or default to their insurance regulations for homeowners or other lines.
- The regulations for other lines of business, while appropriate for many perils, are not suited to floods, which are low-probability, high-cost events where there are significant issues of risk concentration and correlation and the historic record is not sufficient for insurance pricing.

NAR engaged Milliman to assist with a review of state insurance laws, focusing on those provisions most likely to affect the entry and consumer acceptance of private flood insurance. As you develop this best practices guidance, NAR would encourage NAIC to consider the reasons why insurance companies may be hesitant to enter the private flood market. At minimum, any guidance should consider whether the current restrictions on other insurance lines are still appropriate in light of the following unique challenges to writing private flood insurance:

¹ Source: [Congressional Budget Office, 2019](#).

² [Read p.6 of prepared remarks](#) by then-NFIP chief executive Roy Wright to the 2017 National Flood Conference.

³ For example, [five federal agencies recently provided important clarifications](#) regarding lender acceptance of private flood insurance, but the business of insurance is a state regulatory matter that only can be addressed at the state level.



- Use of Catastrophe Models – In general, the private flood insurance industry does not have access to credible historical flood experience and exposure data. Reliance on flood claims experience is unlikely to provide a sound basis upon which to base rates, and insurers generally rely on catastrophe models as the best available science to measure and manage flood risk. Yet some states explicitly prohibit or restrict use of these models in establishing rates for certain lines of business, perils or purposes. Most states also do not have the resources or expertise to review catastrophe models, but Milliman has a proposal for a national catastrophe model clearinghouse based on third party, confidential, expert reviews that could be worth exploring.
- Reinsurance Costs – Because flood is such a new line of business with a high catastrophic potential, many private insurers rely heavily on reinsurance to ensure they are able to fulfill their obligations to policyholders. However, some states explicitly prohibit the ability of insurers to reflect the cost of reinsurance in property insurance rates.
- Confidentiality/Trade Secret Protection – There is often a significant investment of research and analysis involved in order to create a private flood insurance program. Catastrophe modelers, insurers and reinsurers can be very protective of their intellectual property, and have certain information they will not file publicly. Some states do not have provisions allowing companies to submit information confidentially to regulators while protecting it from competitors.
- Rate Approval – Because flood risk varies widely over short distances, flood rate structures may have millions of territories and/or rely on modeling or data lookups based on the property location. Requiring submission of published rate pages for each property may not be practical or feasible.
- Transition Plans – Flood rates have the potential to change more abruptly and significantly than a mature private market. Companies may be hesitant to enter a new market where they are limited with respect to future rate changes. Additionally, phasing in flood insurance rate changes could be an option to ease impacts for existing policyholders while enabling new risks to be written at rates the company is comfortable with, yet would be considered unfairly discriminatory in some states.
- Nonrenewal, cancellation and market exit – Repetitive loss properties make up 1 percent of NFIP policies and account for over 25 percent of the claims. Companies are understandably hesitant to enter a market if they believe they may be forced to continue writing unprofitable risks.

Thank you again for the opportunity to offer comments and research. REALTORS® look forward to working with you to encourage the private flood insurance market to assume more risk and close the insurance gap for flooding, the most costly and common natural disaster in the United States.

Sincerely,



John Smaby

2019 President, National Association of REALTORS®

State Laws and Regulations Related to Flood Insurance

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July 8, 2019

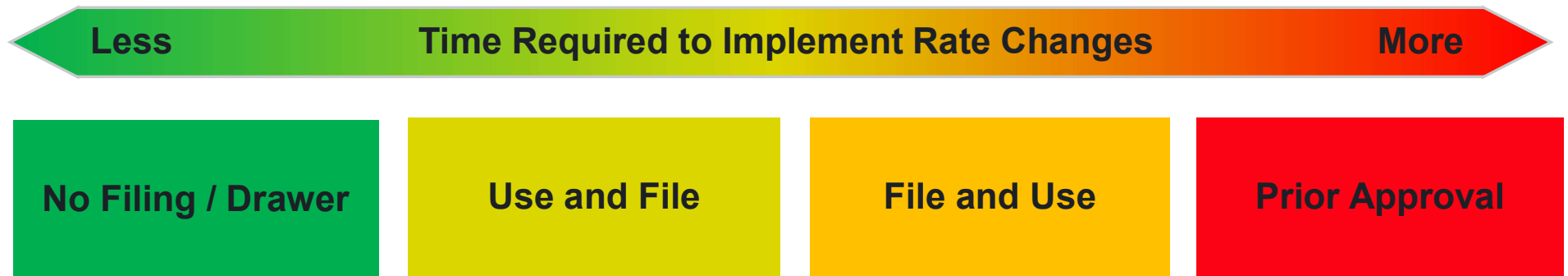


Background

- Our study of state laws and regulations focused on the following issues likely to impact market entry and consumer acceptance of private flood insurance:
 1. Rate and Form Approval
 2. Use of Catastrophe Models
 3. Confidentiality / Trade Secret Protection
 4. Rate Capping or Stabilization
 5. Cancellations, Nonrenewals, and Market Exits
 6. Adoption of NAIC Model Law on Unfair Trade Practices
 7. Surplus Lines Search Requirements and Tax Rates
- Appendix A provides information on laws and regulatory practices related to these issues for all 50 states, the District of Columbia, and Puerto Rico.

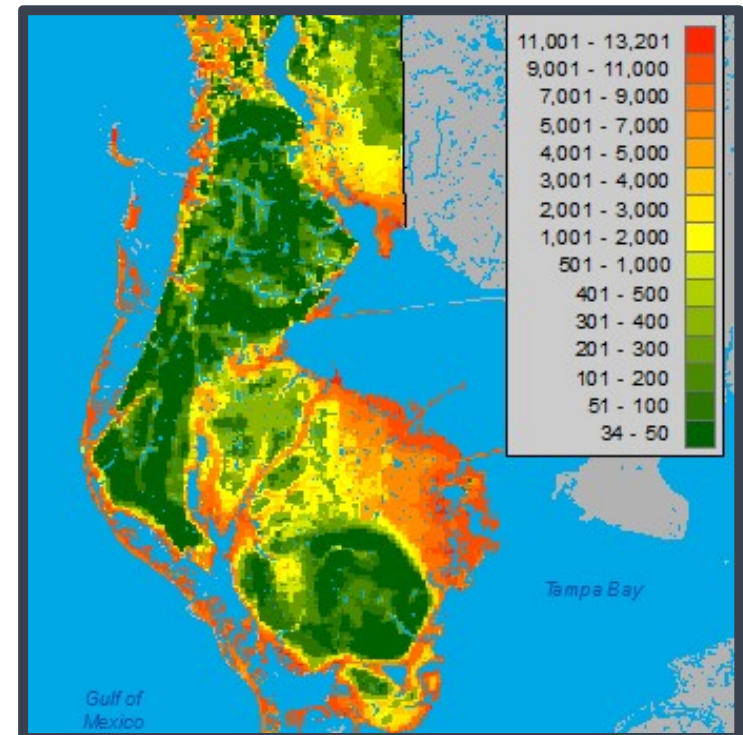
Rate and Form Approval

- Regulators in different states have a range of requirements for approving rates and forms.
 - **Prior Approval** – Rates/Forms must be filed and approved before use. Prior approval filings tend to be associated with a higher level of regulatory review.
 - **File and Use** – Rates/Forms must be filed at least a specified length of time before use
 - **Use and File** – Rates/Forms must be filed within a specified length of time after use
 - **No File / Drawer** – In a drawer filing, the DOI may ask for informational filings that might not be reviewed
 - **Flex Band** – Flex bands usually require companies to subject to prior approval if a proposed rate change is outside a certain range. Otherwise, companies are allowed to file and use, or use and file.



Use of Catastrophe Models

- **Catastrophe (CAT) Models** are used by insurers and reinsurers to estimate losses from infrequent events such as hurricanes, earthquakes, and floods. They use scientific research to develop simulations which are run many times.
- Examples of risk characteristics that impact the estimated losses in a flood CAT model
 - Geography
 - Building codes
 - Construction types
 - Insurance coverages
 - Mitigation features



Illustrative example of average annual storm surge losses estimated using a CAT model

Use of Catastrophe Models

- **Private flood insurance is generally priced and/or underwritten using CAT models.**
 - As floods are infrequent and can occur in areas where there are no significant records of historical loss, CAT models are important for estimating flood losses.
 - The National Flood Insurance Program (NFIP) is updating rates to consider multiple commercial CAT models, instead of relying solely on historical losses and engineering maps.
- Commercial vendors develop CAT models and license them to insurance and reinsurance companies. Reinsurance companies also develop catastrophe models for use for their clients' flood rating plans.
- **Commercial CAT modelers can be very protective of their intellectual property, and have certain information they do not want to file publicly.**

Rate Capping or Stabilization

- A rate change can have little or no overall rate increase on average, but dramatic rate increases and decreases for individual insureds.
- Rate capping, rate stabilization, and transition factors are all ways of describing a rate change that is phased in for individual consumers.
- If rate capping is applied, a policyholder with a large indicated rate increase or decrease will transition from current rates to the filed rates over a period of multiple renewals instead of just a single renewal
- Some regulators consider rate stabilization unfairly discriminatory because two consumers can be charged different rates, even if they have the exact same risk, because one has been insured by the company for a longer period of time.
- Other regulators prefer rate stabilization in some instances to mitigate significant increases in individual premiums at renewal.
- Flood premiums can be very sensitive to changes in the CAT models they are based on. Insurers changing to a new CAT model, or just a new version of the same CAT model, may prefer implementing a rate stabilization plan.

Cancellation, Nonrenewal, and Market Exit

- Nonrenewal, cancellation, and market exit are all varying ways an insurer can reduce its exposure.
- **Cancellation** refers to an insurance company's termination of a policy before the expiration date. Most states have laws stating cancellation can only occur for a limited number of specific reasons, such as nonpayment of premium or material misrepresentation of risk by the insured.
- **Nonrenewal** refers to an insurance company not opting to renew a policy after it has expired. Most states allow more discretion to the insurance company in this case, but do require a specific amount of notice be given ahead of the expiration date.
- Insurance companies will **exit or withdraw** a line of business from a state, or entirely from a state, in extreme cases. This can be driven by a deterioration of financial stability. It can also occur when a company does not believe it is allowed adequate rates to support the risk in a state.
- Many states require a plan or application of how the company will withdraw. The State Matrix refers to items required for a market exit as exit barriers.

NAIC Model Law on Unfair Trade Practices

- The Unfair Trade Practices Act, NAIC Model Law 880, protects consumers from prohibited acts by insurers. This law often applies to a very broad group of entities or individuals involved in the business of insurance, and may ease consumer concerns when purchasing a surplus lines flood policy.
- Prohibited acts include (but are not limited to) misrepresentation and false advertising, defamation, boycott, coercion, intimidation, false statements and entries, unfair discrimination, rebates, and failure to provide claims history.
- The State Matrix includes information on how the adopted law generally defines unfair trade practices. The model law defines an unfair trade practice as any prohibited practice which:
 - ... is committed flagrantly and in conscious disregard of this Act or of any rules promulgated hereunder; or ... has been committed with such frequency to indicate a general business practice to engage in that type of conduct.
 - Many states do not include this specific wording for the entire Act.

Surplus Lines Insurance

- Surplus lines carriers do not have rates or forms regulated by the state and are also not backed by state guaranty funds
- Surplus lines can offer a stand-alone flood policy (but not an endorsement), often in a seamless manner integrating with overall front-end agent systems
- States have diligent search requirements for agents to place business with a surplus lines carrier, instead of an admitted carrier
- Many states have waived or reduced these requirements for flood insurance
- Surplus lines premium tax rates are generally higher than admitted markets

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Data Sources

- Data sources include:
 - NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91
 - Wolters Kluwer OneSumX NILS
 - Official state insurance department, rate bureau, and surplus line association websites
 - Interviews with insurance regulators
 - Review of publicly filed flood and homeowner's insurance rate filings
 - Internet search of state insurance regulations
 - Locke Lord 2018 Excess and Surplus Lines Laws in the United States
 - NAIC Uniform Certificate of Authority Application
 - NAIC Model Law 880: Unfair Trade Practices Act
 - Kousky, Kunreuther, Lingle, and Shabman, *The Emerging Private Residential Flood Insurance Market in the United States*, July 2018



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State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
AK	Flex Band	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Insurance scoring models are considered a trade secret and are not subject to public inspection.	Wolters Kluwer
AL	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	The DOI will accept the submission of only the long-term catalog versions of hurricane models approved by the Florida Commission on Hurricane Loss Projection Methodology.	Wolters Kluwer	Homeowners rate filings, with the exception of proprietary actuarial analysis or forecasting information, are considered public information. [Regulator Interview] The only item in flood Rate/Rule filings made public is the complete manual.	Wolters Kluwer Regulator Interviews
AR	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	CAT modeling is only allowed for earthquake and fire-following earthquake. AR does not normally allow hurricane loads unless there has been actual loss attributed to hurricanes.	Wolters Kluwer SERFF Tracking Number PENN-131885248	All filings and components of filings are open for public access except for credit scoring models to the extent protected under 23-67-409 and actuarial formulas and assumptions to the extent protected by 23-61-103.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
AK				Alaska generally has not approved rate capping as it is in violation of Alaska Statute (AS) 21.39.030, AS 21.36.090 and AS 21.36.120 which all prevent unfair discrimination in the premium or rates charged to insureds with like risk characteristics.	SERFF Tracking Number: USAA-130734295
AL				[Department Practice] Rate capping has been found in approved Alabama homeowners filings.	SERFF Tracking Number AOIC-131698323
AR				[Department Practice] Rate capping has been found in approved Arkansas homeowners filings.	SERFF Tracking Number: HNVX-G131197197

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
AK	<p>[Legal Position] Personal insurance, other than a personal automobile policy, may only be cancelled by the insurer for, nonpayment of premium, conviction of the insured for a crime having as one of its necessary elements an act increasing a hazard insured against, discovery of fraud or misrepresentation by the insured or a representative in obtaining the insurance or pursuing a claim, discovery of a grossly negligent act or omission which substantially increases the hazards insured against; or physical changes in the property which result in the property becoming uninsurable. These reasons do not apply to the failure to renew a policy, except policies that have been in effect for less than 12 months, and to a new business policy that has been in effect for less than 60 days at the time the cancellation notice is mailed.</p> <p>If an insurer cancels, a written notice must be mailed to the named insured at least 10 to 30 days in advance depending on the reason for cancellation.</p> <p>A nonrenewal notice must be sent at least 20 days before expiration of a personal insurance policy. An insurer may fail to renew a personal policy only on the policy's annual anniversary</p>	<p>State of Alaska Division of Insurance Homeowners Insurance Forms Checklist</p> <p>Alaska Statutes § 21.36.210(f), 21.36.210(d), 21.36.220(a), and 21.36.240</p>	<p>[Legal Position] (a) If an insurer intends to change the insurer's name, domicile, or other information provided on the certificate of authority, the insurer shall file a notice of the change with the director within 30 days before or after the intended change takes effect.</p> <p>(b) If an insurer changes the insurer's articles of incorporation, bylaws, business address, phone number, electronic mailing address, or other information maintained by the director, the insurer shall file a notice of the change with the director not later than 90 days after the effective date of the change.</p>	<p>Alaska Statutes § 21.09.245</p>	<p>Alaska Statutes § 21.36.010 to 21.36.350</p>
AL	<p>[Legal Position] Mid-term cancellations are only appropriate on an individual risk basis for risks or policies with an unacceptably high loss ratio and after insurers have attempted to reach a satisfactory solution as an alternative. Nonrenewals must give 30 days advance notice.</p>	<p>Alabama Department of Insurance Bulletin No. 2017-04</p>	<p>[Legal Position] Notice required to the commissioner 150 days in advance and to the insured 120 days in advance when nonrenewing or restricting coverage to a group of insureds.</p>	<p>Alabama Department of Insurance Administrative Code Chapter 482-1-136</p>	<p>Alabama Code § 27-12-1 to 27-12-24</p>
AR	<p>[Legal Position] (a) Except for nonpayment of premium, the insurer shall give either a written notice of nonrenewal or an offer of renewal at least 30 days prior to the expiration of the policy's existing term.</p> <p>(b) The insurer shall send the insured a written notice and the insurance producer written or electronic notice of the offer of renewal under subsection (a) of this section, indicating the new premium and providing a description of any change in deductible or policy provision in the renewal policy.</p>	<p>Arkansas Code § 23-88-105</p>	<p>[Legal Position] Any insurer desiring to surrender its Certificate of Authority, withdraw from this state, or discontinue the writing of certain classes of insurance in this state shall give ninety (90) day's notice in writing to the State Insurance Department and shall state in writing its reasons for such action. The commissioner may waive any part of the notice requirement. A.C.A §23-63-211(e)</p> <p>Provide a statement notarized by an officer of the company that there are no outstanding policies, claims and liabilities for the line(s) requested to be deleted. If business exists under the line(s) requested to be deleted, submit documentation regarding transfer or assumption of existing business, or summary of the company's plan to run-off any existing business in the line(s) to be deleted.</p>	<p>NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements</p>	<p>Arkansas Code § 23-66-201 to 23-66-316</p>

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
AK	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 21.36.020] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://www.akleg.gov/basis/statutes.asp#21.36.010	2.70%	2.70% + 1.00% filing fee	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
AL	The most recent version of the NAIC Model Law was not adopted in its entirety. State version of Section 3 [§§ 27-12-2] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices. [Regulator Interview] Alabama used the NAIC model law as the basis for their adopted regulation	http://alisondb.legislature.state.al.us/alison/CodeOfAlabama/1975/131566.htm	3.60%	6.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
AR	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 23-66-201] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://codes.findlaw.com/ar/title-23-public-utilities-and-regulated-industries/ar-code-sect-23-66-201.html	2.5% + 0.5% on Real & Personal Property	4.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
AK	Waived	https://www.commerce.alaska.gov/web/Portals/11/Pub/SurplusLines/sl-placement-list.pdf		
AL	[Regulator Interview] Required with the exception of areas south of I-10 in Baldwin and Mobile Counties	Regulator Interviews https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
AR	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
AZ	Use and File	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are not allowed. All filings are public records.	Wolters Kluwer
CA	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply. Catastrophe models for earthquake and fire following must comply with certain standards.	Wolters Kluwer	[Regulator Interview] Underwriting rules provided to the Commissioner in connection with an application for approval of property and casualty rates pursuant to Insurance Code section 1861.05(b) must be available for public inspection pursuant to Insurance Code section 1861.07 regardless of whether such underwriting rules are marked "confidential," "proprietary," or "trade secret."	Regulator Interviews
CO	File and Use	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	To assert that filings or sections of filings are not subject to disclosure pursuant to statute, insurers must prepare and submit a Confidentiality Index (Uniform No. F 1021) identifying what is requested to be confidential.	Wolters Kluwer
CT	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	It is permissible to include risk loading based on a Catastrophe Model; the filer must include the name and version of the specific Catastrophe Model used.	Wolters Kluwer	Filings become public at submission. However, confidentiality may be requested for a personal risk submission made under 38a-686(b)(6)(A).	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
AZ				[Department Practice] The Department considers rate capping to be a discriminatory rating practice that is not supported actuarially and is in conflict with ARS 20-383. However, filings that contain rate capping have been filed and allowed for use by the Arizona regulators.	SERFF Tracking Numbers: FARM-131736034, ELEC-131795000, LBPM-131770681 Arizona Revised Statutes 20-383
CA	[Regulator Interview] California Code of Regulations §2644.4 limits the use of complex catastrophe models to projecting losses for earthquake and fire following earthquake subject to compliance with certain standards..	Regulator Interviews California Code of Regulations, § 2644.4	[Regulator Interview] Normal filing requirements apply. Suggested filing for private flood is under Allied Lines with a subline of Commercial Flood or Personal Flood. Future rate changes above 7% for Personal Flood or 15% for Commercial Flood could trigger a public hearing.	[Department Practice] Transition factors are considered unfairly discriminatory and would not be permitted by the Department unless the changes proposed would have a significant impact on the current book of business. (Current as of 2018)	California Filing 17-5633; California Insurance Code 1861.05 SERFF Tracking Number GMMX-131152188
CO				[Department Practice] Rating practices that cap or limit the amount of a rate change when renewal rates are calculated for existing policyholders, but charge the filed rate without any limitation to new policyholders, constitute the use of unfairly discriminatory rates.	CO Department of Regulatory Agencies, Division of Insurance, Bulletin No. B-5.32 "Rate Capping Practices For Property and Casualty Insurance Companies"
CT				[Department Practice] Rate capping has been found in approved Connecticut homeowners filings.	SERFF Tracking Number: NGMC-131694158

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
AZ	[Legal Position] After 60 days of a new policy being effective, cancellations are only permitted for a limited list of reasons. Nonrenewals due to property conditions must provide policyholders with 30 days notice to remedy identified conditions. If the identified conditions are not remedied to a satisfactory level, the insured is given an additional 30 days.	Arizona Revised Statutes § 20-1652 to 20-1653	[Legal Position] Provide a statement of the insurer's financial condition as of a date within 60 days of the filing date of the request for termination that includes a written statement, signed by two officers of the insurer as authorized on the jurat page of the insurer's most recent annual statement, verifying that the statement of financial condition reflects the insurer's financial position as of the date signed. Provide a plan of extinguishment of the insurer's outstanding liabilities that satisfies the requirements of AAC R20-6-303(C) OR a sworn affidavit stating that the insurer has no outstanding liabilities to policyholders or claimants under AAC R20-6-303(C).	Arizona Administrative Code R20-6-303	Arizona Revised Statutes § 20-441 to 20-461
CA	[Legal Position] Homeowners policies may NOT be nonrenewed for the sole reason that a claim is pending under the policy. In the case of a total loss due to disaster, the insurer must offer to renew the policy at least twice. Otherwise, nonrenewals must be given 45 day notice. Cancellations after a policy has been effective for 60 days are restricted to a limited number of situations.	California Insurance Code, Subsections 675, 675.1, 676	[Legal Position] Withdrawal application required	California Insurance Code, Sections 1070-1076	California Insurance Code, Subsections 790 to 790.10
CO	[Legal Position] Cancellations for nonpayment require 10 days notice. Nonrenewals and other cancellations require 30 days notice.	Colorado Revised Statutes § 10-4-1107	Provide a summary of the company's plan to transfer or run-off any existing business in the lines to be deleted.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Colorado Revised Statutes § 10-3-1101 to 10-3-1113
CT	[Legal Position] The declination, cancellation or nonrenewal of a homeowners insurance policy are prohibited if based on claims from catastrophic events, claims filed on the property by a prior owner (unless the risk from the original claim has not been mitigated), and for claims that resulted in payment of less than \$500 (subject to limited exceptions).	Connecticut General Statutes § 38a-316d	[Legal Position] Discontinuing or substantially reducing the writing of business within a line or subline requires 60 days written notice to the Commissioner.	Connecticut General Statutes § 38a-44	Connecticut General Statutes § 38a-815 to 38a-819

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
AZ	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 20-442] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/20/00441.htm	1.90%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
CA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [Subsection 790.02] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=INS&division=1.&title=&part=2.&chapter=1.&article=6.5	2.35%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
CO	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 10-3-1103] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://codes.findlaw.com/co/title-10-insurance/co-rev-st-sec-10-3-1101.html	2.00% (1.00% with Colorado home or regional office)	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
CT	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 38a-815] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.cga.ct.gov/current/pub/chap_704.htm	1.75%	4.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
AZ	Waived	https://www.sla-az.org/azexportlist_091313.pdf		
CA	Waived for Excess Flood	http://slacal.org/brokers/exportlist	Homeowners and Private Flood filings are subject to public intervention (California Insurance Code 1861.10) Expense assumptions must follow California efficiency standards (California Code of Regulations 2644.12). Reinsurance costs are not permitted outside Earthquake and Medical Malpractice lines of business (CCR 2644.25).	
CO	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
CT	Waived	https://portal.ct.gov/CID/Financial-Division/Exportable-List		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
DC	File and Use	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
DE	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
FL	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Insurers must follow actuarial methods, principles, standards, models, or output ranges found by the Florida Commission on Hurricane Loss Projection Methodology.	Wolters Kluwer	<p>Filings become public upon approval unless specifically exempted by law. Confidentiality requests are allowed. A trade secret that is used in designing and constructing a hurricane loss model is confidential.</p> <p>[Legal Position] Must assert trade secret on each filed item, with notarized affidavit. Once marked, trade secret items are not downloadable from I-File system.</p>	<p>Wolters Kluwer</p> <p>Florida Statutes 624.4213</p>

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
DC				[Department Practice] Rate capping has been found in approved District Of Columbia homeowners filings.	SERFF Tracking Number: HART-131073063
DE				[Department Practice] Rate capping has been found in approved Delaware homeowners filings.	SERFF Tracking Number: CUIG-130715326
FL	<p>[Legal Position] Insurers may only use models certified by the Florida Commission on Hurricane Loss Projection Methodology (FCHLPM). There are currently 5 approved hurricane models, including one public model.</p> <p>Any rate filing that is based in whole or part on data from a computer model may not exceed 15 percent unless there is a public hearing.</p> <p>[Flood] The commission shall adopt actuarial methods, principles, standards, models, or output ranges for personal lines residential flood loss no later than July 1, 2017. Projected flood losses may use catastrophe model output for models found to be acceptable by the FCHLPM.</p>	Florida Statutes, 627.0628; 627.0629; 627.062	<p>[Flood] Governed by F.S. 627.715. Must declare one of four types of private flood coverage, and whether exempt from rate law 627.062. To be exempt, flood coverage rates must be filed by 10/1/2025; data must be maintained for two years, and is subject to examination by the department.</p> <p>[Department Practice] Must file program as "informational". Must file COA extension with pro-forma premium volume. Must file quota share contracts.</p>	[Legal Position] In order to provide an appropriate transition period, an insurer may implement an approved rate filing for residential property insurance over a period of years. Such insurer must provide an informational notice to the office setting out its schedule for implementation of the phased-in rate filing.	Florida Statutes 627.0629

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
DC	<p>[Legal Position] An insurer shall not refuse to renew a policy of homeowners' insurance solely due to claim or loss frequency unless there have been two or more claims during the preceding three year period. The first claim caused by weather, claims without payment, and catastrophic losses cannot be counted towards nonrenewal.</p> <p>An insurer shall not refuse to renew a policy of homeowners' insurance solely because of damages requiring repairs that are discovered during a renewal or loss inspection, unless the insurer has allowed the insured a reasonable timeframe in which to repair the damages.</p> <p>An insurer may refuse to renew a policy of homeowners' insurance due to claim or loss frequency based upon standards more restrictive than those set forth in this section if the insurer provides specific notice required by law.</p>	D.C. Municipal Regulations Section 26-A5000	For a foreign insurance company withdrawing entirely from the state, provide a written statement that the insurer is surrendering the license.	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	D.C. Code § 31-2231.01 to 31-2231.25
DE	<p>[Legal Position] An insurer must give the policy at least 30 days advance written notice of nonrenewal, with a written explanation of the specific reason(s) for nonrenewal.</p> <p>After coverage has been in effect for more than 60 days or after the effective date of a renewal policy a notice of cancellation shall not be issued except for a limited number of specific reasons.</p>	Delaware Code Title 18, § 4122 and 4123	Provide a statement notarized by an officer of the company that there are no outstanding policies, claims and liabilities for the line(s) requested to be deleted. If business exists under the line(s) requested to be deleted, submit documentation regarding transfer or assumption of existing business, or summary of the company's plan to run-off any existing business in the line(s) to be deleted.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Delaware Code Title 18, § 2301 to 2314
FL	<p>[Legal Position] An insurer must give the policy at least 45 days advance written notice of nonrenewal, with a statement of the reason(s) as to why the policy is not to be renewed</p>	Florida Statutes 627.4133	[Legal Position] 90 days written notice of reason for discontinuing the writing of the line. Refer to Section 624.430, Florida Statutes, and Rule 690-141.020, Florida Administrative Code for the required format for the Notice and its contents	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Florida Statutes 626.951 to 626.9641

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
DC	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§ 31–2231.01 (9)] defines unfair trade practices as being committed with such frequency to indicate a general business practice to engage in the proscribed conduct.	https://code.dccouncil.us/dccouncil/code/titles/31/chapters/22A/	1.70%	2.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
DE	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 2303] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://delcode.delaware.gov/title18/c023/index.shtml	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
FL	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [626.9521] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0600-0699/0626/0626PartIXContentIndex.html&StateYear=2018&Title=%2D%3E2018%2D%3EChapter%20626%2D%3EPart%20IX	1.75%	5.0% + 0.3% service fee	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
DC	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
DE	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
FL	Waived for Personal Lines and some Commercial Lines; subject to expiration on July 1, 2019	https://www.fslso.com/BusinessForms/Matrix Florida Statutes 627.715		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
GA	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Personal homeowners insurance companies that use insurance scores to underwrite and rate risks must file their scoring models or other scoring processes with the DOI. Any filing relating to credit information is considered to be a trade secret and proprietary information of the entity filing the information.	Wolters Kluwer
HI	Prior Approval	No Provision	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models used in filings must have been reviewed by the DOI.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
IA	Use and File	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. Information related to credit scoring models and the insurer's use of credit is considered confidential and will be recognized and protected as a trade secret.	Wolters Kluwer
ID	Use and File	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Information submitted that insurer considers a trade secret must be clearly identified at the time of filing.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
GA				[Department Practice] Rate capping has been found in approved Georgia homeowners filings.	SERFF Tracking Numbers: NWPP-131750633, SFMA-131280380
HI				[Department Practice] Rate capping has been found in approved Hawaii homeowners filings.	SERFF Tracking Number: GNIC-129516752
IA				[Department Practice] Rate capping has been found in approved Iowa homeowners filings.	SERFF Tracking Number: ASIT-131252246
ID				[Department Practice] Rate capping has been found in approved Idaho homeowners filings.	SERFF Tracking Number: QBEC-129636504

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
GA	[Legal Position] 30 day notice required for cancellation of policies effective under 60 days. After 60 days, cancellations may only occur for a limited list of reasons. 30 day notice required for nonrenewals, though limitations apply related to changes in eligibility guidelines and claims experience not attributable to negligent or intentional acts.	Georgia Code § 33-24-44 and 46	[Legal Position] The commissioner must be notified at least a year before the completion of the withdrawal, unless a shorter time period and plan of action have been approved by the Commissioner. At a minimum, 90 days of general notice is required to each insured and all notice must meet applicable statutory notice requirements for canceling, nonrenewing, or terminating insurance	Georgia Code § 33-6-5 (12)	Georgia Code § 33-6-1 to 33-6-14
HI	[Legal Position] Cancellations require 10 days notice. Nonrenewals require 30 days notice.	Hawaii Revised Statutes § 431:10-226.5	[Legal Position] Thirteen months formal notice required before deleting Property insurance (Hawaii Revised Statutes § 431P-17); provide the approximate number of Hawaii policyholders affected; provide a list and description of policies and form numbers held by Hawaii policyholders; provide an explanation of the affects to Hawaii policyholders. If policies will be assumed submit certificate of assumption and readability. Additional notice requirements apply including multiple publications in a daily circulation newspaper.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements Hawaii Revised Statutes § 431:3-215	Hawaii Revised Statutes § 431:13-101 to 431:13-204
IA	[Legal Position] Cancellations for nonpayment require 10 days notice. nonrenewals and other cancellations require 30 days notice. After coverage has been in effect for more than 60 days a policy may only be cancelled for a limited number of specific reasons.	Iowa Code § 515.125 and 515.129A	Letter requesting deletion of particular line(s).	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Iowa Code § 507B.1 to 507B.14
ID	Every fire policy shall contain language that provides for a thirty (30) day written notice to the insured prior to cancellation of the policy, provided however, that where cancellation is for the nonpayment of premium, at least ten (10) days' notice of such cancellation, accompanied by the reason for the cancellation, shall be given. If delivered via United States mail, such ten (10) day notification period shall begin to run five (5) days following the date of postmark. Proof of mailing of notice of cancellation, or of intention not to renew, or of reasons for cancellation or nonrenewal to the named insured at his address shall be sufficient proof of notice.	Idaho Code § 41-2401 (1) (j)	Statement from a Company officer there are no claims/outstanding liabilities in Idaho for the line(s) of business to be deleted.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Idaho Code § 41-1301 to 41-1331

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
GA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 33-6-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://codes.findlaw.com/ga/title-33-insurance/ga-code-sect-33-6-1.html	2.25%	4.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
HI	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 431:13-102] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.capitol.hawaii.gov/hrscurrent/Vol09_Ch0431-0435H/HRS0431/HRS_0431-0013-0101.htm	4.265%	4.68%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
IA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 507B.3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.legis.iowa.gov/docs/ico/chapter/507B.pdf	1.00%	1.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
ID	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 41-1302] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://legislature.idaho.gov/wp-content/uploads/statutesrules/idstat/Title41/T41CH13.pdf	1.50%	1.50%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
GA	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
HI	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
IA	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
ID	Waived for Difference in Condition and Water Damage Including Flood	http://www.idahosurplusline.org/app/classcodelist.asp		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
IL	Use and File	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 Department Rules Part 753 and 754	Normal filing requirements apply.	Wolters Kluwer	An insurer may request confidential treatment of information by specifically identifying the portions of the filing that it wishes to maintain as a trade secret exempt from public disclosure. [Regulator Interview] Policy forms can't be filed as confidential and there are specific requirements for what can be filed as confidential. Refer to http://insurance.illinois.gov/cb/2012/CB2012-08.pdf for further details.	Wolters Kluwer Regulator Interviews
IN	File and Use	No Provision	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Insurers marking a filing or supporting information confidential must provide a sufficient basis on which the DOI may determine that the filing or supporting information is confidential. The only filings eligible for confidential treatment are credit scoring models and they must be submitted on paper.	Wolters Kluwer
KS	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing. (DOI Position, 12/17)	Wolters Kluwer	Required disclosure forms and insurance scoring models or other insurance scoring processes are considered to be a trade secret/confidential.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
IL	[Regulator Interview] The state may attempt to apply credit score model rules (explicit algorithms and underlying assumptions), which may not be relevant for catastrophe models	Regulator Interviews	[Regulator Interview] No support required.	[Department Practice] Rate capping has been found in approved Illinois homeowners filings.	SERFF Tracking Number: HNVX-G131063818
IN				[Department Practice] Rate capping has been found in approved Indiana homeowners filings.	SERFF Tracking Number: AOIC-131078636
KS				[Department Practice] Rate capping has been found in approved Kansas homeowners filings.	SERFF Tracking Number: NWPP-131845219

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
IL	<p>[Legal Position] Insurers must mail cancellation notice to the named insured and mortgagee or lien holder, if known, at the last known mailing address, at least: 10 days prior to the effective date of cancellation for nonpayment of premium; and 30 days prior to the effective date of cancellation for any other reason. All notices shall include a specific explanation of the reason(s) for cancellation.</p> <p>Insurers must mail nonrenewal notice to the named insured at least 30 days in advance of the effective date.</p> <p>60 days advance notice of renewal with changes in deductibles or coverages applicable to an entire line of business.</p>	<p>Illinois Statutes Chapter 215. §143.11, §143.15, §143.17</p>	<p>[Legal Position] Insurers must notify the Director of the termination of a line of insurance, as well as the reasons for the action, 90 days before termination of any policy is effective.</p>	<p>215 Illinois Compiled Statutes 5/143 11a</p>	<p>215 Illinois Compiled Statutes 5/421 to 5/434</p>
IN	<p>[Legal Position] Notice of cancellation must be in writing and sent to the insured at least 10 days before canceling the policy, if the cancellation is for nonpayment of premium or if the policy was issued not more than 60 days before.</p> <p>Notice of cancellation must be sent at least 20 days before canceling the policy, if the policy was issued more than 60 days before. Cancellation after 60 days, or after the effective date of a renewal policy, must be based on certain conditions, including nonpayment of premium, fraud, change in risk, violation of safety codes, delinquent property taxes. Notice of nonrenewal must be sent to the insured at least 20 days before expiration of the policy. Certain reasons for termination are illegal.</p>	<p>Indiana Code § 27-7-12</p> <p>https://www.in.gov/idoi/2596.htm</p>			<p>Indiana Code § 27-4-1-1 to 27-4-1-18</p>
KS	<p>[Legal Position] Each policy that provides for cancellation at the option of the insurer shall contain a provision within the policy, or at the discretion of the commissioner, within an amending rider, that the insured will be notified in writing at least 30 days in advance of the effective date of cancellation. Specific language for notification must be used. These requirements do not apply for cancellation due to nonpayment of premium.</p>	<p>Kansas Administrative Regulations 40-3-15</p>	<p>Provide a written statement from the Company stating that there is no existing or run-off business for the line(s) to be deleted.</p>	<p>NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements</p>	<p>Kansas Statutes § 40-2401 to 40-2421</p>

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
IL	The most recent version of the NAIC Model Law was not adopted in its entirety. State version of Section 3 [5/423] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://lga.gov/legislation/ilcs/ilcs4.asp?DocName=021500050HArt%2E+XXVI&ActID=1249&ChapterID=22&SeqStart=122400000&SeqEnd=123900000	0.5% + 1% fire marshal tax	3.5% + 1% fire marshal tax	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
IN	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 27-4-1-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://iga.in.gov/legislative/laws/2018/ic/titles/027#27-4	1.30%	2.50%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
KS	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 40-2403] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.ksrevisor.org/statutes/chapters/ch40/040_024_0001.html	2.00%	6.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
IL	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf	The only rates and rule manuals that are required to be filed would be Homeowners (including Mobile Homeowners) and Dwelling Fire and Allied Lines. Refer to Department Rule Part 754.	Regulator Interviews
IN	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
KS	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
KY	Use and File if changes do not result in an increase or decrease of more than 25% from existing rates for any classification of risks within a 12 month period of time. Otherwise, Prior Approval.	Prior Approval	Kentucky Revised Statutes § 304.13-051, 057, 061 and § 304.14-120	Catastrophe models require filing.	Wolters Kluwer	Rate and rule filings which request confidentiality must be made in compliance with 304.13-051.	Wolters Kluwer
LA	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	[Regulator Interview] Catastrophe models must be filed with the LDI and will be reviewed by the department's staff actuaries prior to a company's adoption. [Wolters Kluwer] Bulletin 2013-04 applies specifically to the hurricane peril, but the guidance should be used for other perils if applicable. For each modeled peril, insurance companies and modelers must complete and file electronically all forms as required by the Bulletin. Personal property rate filings (dwelling, homeowner or mobile home) relying on modeling must include the Catastrophe Model Interrogatories.	Regulator Interview Wolters Kluwer	Confidentiality requests are allowed only for information such as underwriting guidelines, trade secrets, CAT models, credit models, plans of operations. [Legal Position] Information deemed confidential, trade secret, or proprietary by the insurer or filer will not be open to public inspection.	Wolters Kluwer Louisiana Revised Statutes 22:1464
MA	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are not allowed. [Regulator Interview] Nothing submitted can be trade secret. Model does not need to be filed; model approval can be based on confidential discussion with DOI.	Wolters Kluwer Regulator Interviews

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
KY				[Department Practice] Rate capping has been found in approved Kentucky homeowners filings.	SERFF Tracking Number: CEMC-130360526
LA				[Department Practice] The LDI generally does not favor individual policy rate-capping because it may lead to unfair discrimination when identical risks, one new and one renewing, are charged different premiums. However, the Office of Property and Casualty recognizes that tempering large increases in premium, even when the increases are actuarially sound, may be in the public's best interest. Rate capping on the up-side shall not limit individual policyholder premium increases to less than 10%. There shall be no rate capping on the down-side.	LDI Rate and Rule Filing Handbook
MA	[Regulator Interview] The regulator does not require all of the details underlying risk scoring models to be filed. Following (confidential) detailed discussions with model users and developers, the regulator most often requires that the risk attributes that are used in the model to produce a score to be identified in the rating rules that are placed on file with the Division.	Regulator Interviews	[Regulator Interview] The department does not prescribe any specific support requirements for flood filings.	[Department Practice] Rate capping has been found in approved Massachusetts homeowners filings.	SERFF Tracking Numbers PRAC-131679183

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
KY	<p>[Legal Position] Mid-term cancellations of policies in force more than 60 days can only occur for one or more of seven specific reasons.</p> <p>Notice is required 14 days in advance of effective date of cancellation if for nonpayment of premium or if policy has been in force 60 days or less. 75 days notice is required for nonrenewal and all other cancellations. Termination is a cancellation or nonrenewal of coverage in whole or in part. Movement between companies is a termination and must be given 75 day notice. Specific reason(s) must be given in the notices.</p> <p>Certain reasons for termination are not allowed.</p>	<p>Kentucky Revised Statutes § 304.14-030, 304.20-310(2), 320 and 330, 806 KAR 20:010 http://insurance.ky.gov/PPC/Documents/Flood0608.pdf</p>	<p>[Legal Position] Upon written application by the insurer and due cause shown, the commissioner may amend the certificate of authority of an insurer as required by change of name or to show any change in the kinds of insurance the insurer may thereafter transact and is qualified to transact in this state.</p>	<p>Kentucky Revised Statutes § 304.3-170</p>	<p>Kentucky Revised Statutes § 304.12-010 to 304.12-230</p>
LA	<p>[Legal Position] Policyholders have the right to receive written notice of cancellation or nonrenewal at least 30 days prior to the effective date of the cancellation or nonrenewal, with exceptions.</p> <p>No insurer providing property, casualty, or liability insurance shall cancel or fail to renew a homeowner's policy of insurance or to increase the policy deductible that has been in effect and renewed for more than three years unless based on nonpayment of premium, fraud of the insured, a material change in the risk being insured, two or more claims within a continuous three-year period of time within the five years preceding the current policy renewal date, or if continuation of such policy endangers the solvency of the insurer.</p> <p>No insurer shall cancel, fail to renew, or increase the amount of the premium, except upon an area-wide rating basis at the beginning of a new policy period, on a homeowner's policy of insurance based solely upon a loss caused by an "Act of God".</p>	<p>Louisiana Revised Statutes 22:41, 22:1265, 22:1335, 22:1336</p>	<p>[Legal Position] Withdrawal application required</p>	<p>Louisiana Revised Statutes 22:341 https://di.la.gov/docs/default-source/documents/licensing/companies/withdrawal</p>	<p>Louisiana Revised Statutes 22:1961 to 22:1973</p>
MA	<p>[Legal Position] Nonrenewals require notice 45 days prior to policy expiration. Cancellation abilities are limited after 60 days of policy effective date, and [Department Position, 2016] require 5 days notice to the insured, 10 days for nonpayment of premium, and 20 days notice to the lender or mortgage company.</p>	<p>Mass. Gen. Laws Ch. 175, § 187C, §193P</p>	<p>[Regulator Interview] Would be addressed on a case by case basis, but no concerns with market exit provided there is not imminent risk of flood when cancelling a policy.</p>	<p>Regulator Interviews</p>	<p>Massachusetts General Laws Ch. 176D, § 1 to 14</p>

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
KY	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 304.12-010] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://apps.legislature.ky.gov/law/statutes/chapter.aspx?id=38701	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
LA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [22:1963] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://www.legis.la.gov/Legis/Law.aspx?p=y&d=509075	For casualty, \$185 for \$6,000 or less in premiums; add \$300 for each additional \$10,000 or part	4.85%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
MA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [Ch. 176D, §§ 2] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXIII/Chapter176D	2.28%	4.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
KY	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
LA	Waived; no diligent search requirements in Louisiana [Secondary Source]	Locke Lord 2018 Excess and Surplus Lines Laws in the United States		
MA	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
MD	File and Use for Lines designated by commissioner as competitive; Prior Approval otherwise. [Regulator Interview] Flood would be File and Use	File and Use; Filing may not take effect until 30 days after it is filed. Commissioner may extend 30 days with notice.	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 Regulator Interviews	Insurers who use a catastrophic risk planning model or other model to establish rates and rules or underwriting guidelines for homeowners' insurance must comply with Ins. s 19-211. The rate filing must identify and describe the model but the actual model need not be filed. In addition, the filer must contact the DOI to schedule a time for the owner or vendor of the model to go to the DOI to demonstrate the model and explain its use in detail.	Wolters Kluwer	Catastrophe model filings may be considered confidential. Information designated by an insurer as proprietary rate-related information, including rating models and the formulas, algorithms, analyses and specific weights given to variables used in the model, is considered a trade secret and will be kept confidential.	Wolters Kluwer
ME	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
MI	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 Michigan Compiled Laws § 500.2608(2)	Normal filing requirements apply.	Wolters Kluwer	Underwriting rules, which are subject to filing for Homeowners and Personal Auto, do not meet the requirements for the MI Trade Secrets Act and therefore are subject to public inspection by anyone who requests them through the Michigan Freedom of Information Act.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
MD			[Regulator Interview] Regulators recommend filling out the catastrophe model questionnaire and discussing the model confidentially with the department prior to use. The department would like to see loss experience as program matures. Otherwise filing requirements are similar to other lines.	[Regulator Interview] Rate capping is permitted in both directions subject to a three year duration. [Department Practice] Rate capping has been found in approved Maryland homeowners filings.	Regulator Interviews SERFF Tracking Numbers: KEMP-131650532, LBPM-131333614
ME				[Department Practice] Rate capping has been found in approved Maine homeowners filings.	SERFF Tracking Number: NWPP-131838914
MI			[Regulator Interview] Michigan Compiled Laws § 500.2117(1) provides that an insurer cannot limit coverage available to an eligible person for home insurance (found in Michigan Compiled Laws § 500.2103(2)) except in accordance with their underwriting rules established in Michigan Compiled Laws § 500.2117(2) and Michigan Compiled Laws § 500.2119. This applies to non-group home policies.	[Department Practice] Rate capping has been found in approved Michigan homeowners filings.	SERFF Tracking Number: AMSI-131715341

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
MD	<p>[Regulator Interview] § 27-602: (personal lines) All nonrenewals and cancellations require 45 days notice by first class mail tracking method, except nonpayment cancellations (10 days). The only acceptable reasons for mid-term cancellations are: material misrepresentation, threat to public safety, change in the condition of the risk that increases the hazard insured against, nonpayment of premium (10 days), and arson conviction (homeowners).</p> <p>[Legal Position] An insurer may nonrenew a policy if three or more weather-related claims were filed in the past 3 years, if there was a material misrepresentation, if there was a change in physical condition resulting in an increase in hazard, if the insured has committed arson in the last 5 years or has been convicted of a crime in the past 3 years that increases the hazard insured against, or if an insured has otherwise violated the insurer's underwriting guidelines.</p>	<p>Code of Maryland § 27-602</p> <p>Code of Maryland Regulations § 31.15.10</p>	<p>[Legal Position] 180 days written notice with a plan of withdrawal filed to the Commissioner.</p>	<p>Maryland Insurance Code 27-606</p>	<p>Code of Maryland § 27-101 to 27-219</p>
ME	<p>[Legal Position] Any policy that has been in effect longer than 90 days can only be cancelled for a limited number of specific reasons. Notice is required 10 days in advance if cancelling for nonpayment of premium, and 20 days for all other cancellations after the policy has been effective for 90 days. Specific notification requirements apply.</p> <p>30 days notice is required for nonrenewal, accompanied by specific reasons for nonrenewal.</p>	<p>Maine Revised Statutes Title 24-A, § 3049 to 3051</p>	<p>[Legal Position] The insurer shall submit its plan for approval to the superintendent at least 60 days prior to its proposed date of withdrawal.</p> <p>The plan shall include, but not be limited to, requirements and procedures for meeting the insurer's existing contractual obligations, providing security in the event of a subsequent insolvency and meeting any applicable statutory obligations. The plan shall also comply with any further terms and conditions which are prescribed by rules adopted by the superintendent.</p>	<p>Maine Revised Statutes Title 24-A § 415-A</p>	<p>Maine Revised Statutes Title 24-A, § 2151 to 2182</p>
MI	<p>30 days notice is required for termination of a policy, with the specific reason for determination listed. A 20 day notice is required for termination policies within the first 55 days of initial issuance. Termination for nonpayment of premium shall be effective as provided in the policy.</p> <p>A termination of insurance shall not be effective unless the termination is due to reasons which conform to the underwriting rules of the insurer for that insurance</p>	<p>Michigan Compiled Laws § 500.2123</p>	<p>Provide a letter signed by a company officer must be included stating the lines of authority the company is requesting to delete from its Certificate of Authority.</p>	<p>NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements</p>	<p>Michigan Compiled Laws § 500.2001 to 500.2093</p>

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
MD	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 27-102] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://mgaleg.maryland.gov/w ebmga/fmStatutesText.aspx? article=gjn&section=27-101&ext=html&session=2019RS	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
ME	Adopted with extra provisions and in a substantially similar manner to NAIC Model Law 880, Unfair Trade Practices Act. State version of Section 3 [§§ 2152] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://legislature.maine.gov/statutes/24-A/title24-Ach23sec0.html	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
MI	Adopted with extra provisions and in a substantially similar manner to NAIC Model Law 880, Unfair Trade Practices Act. State version of Section 3 [§§ 500.2003] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://legislature.mi.gov/doc.aspx?mcl-218-1956-20	Greater of single business tax, income tax, or retaliatory tax	2.0% + 0.5% regulatory fee	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
MD	Waived for Excess Flood, and for Primary Flood where federal flood is not available.	http://mdrules.elaws.us/comar/31.03.06.10		
ME	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
MI	Waived for Flood where not provided by NFIP	https://www.michigan.gov/documents/lara/quarterly_surplus_lines_list_4252011_351537_7.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
MN	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. Filings become public at effective date. To be considered confidential, the filing data must meet certain definition of "trade secret".	Wolters Kluwer
MO	Use and File	Use and File	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	If an insurer filing credit scoring information believes the information contains confidential material, the DOI will maintain the information as a closed record if the insurer identifies the information as containing confidential material and simultaneously files a redacted version of the information for public access.	Wolters Kluwer
MS	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing. Insurers using hurricane models must identify the model(s) used, version of the model(s) used, and provide sufficient explanation.	Wolters Kluwer	Credit History and Insurance Scores: If an insurer relies on an insurance score to initially underwrite or rate any applicant, or to re-underwrite or re-rate any existing class/subclass of insureds, or for tier placement, then the insurer must file the insurance scoring model before its use. This filing is considered to be a commercially valuable trade secret and proprietary information of the insurer.	Wolters Kluwer
MT	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	A company utilizing predictive models must ensure that the submitted support addresses all applicable items in the PDF "Montana-Model-Support" attached to SERFF General Requirements.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
MN				[Department Practice] Rate capping has been found in approved Minnesota homeowners filings.	SERFF Tracking Number: SELC-131644647
MO				[Department Practice] Rate capping has been found in approved Missouri homeowners filings.	SERFF Tracking Number: APCG-131682113
MS				[Department Practice] Rate capping has been found in approved Mississippi homeowners filings.	SERFF Tracking Number: USAA-131284066
MT				[Department Practice] Rate capping has been found in approved Montana homeowners filings.	SERFF Tracking Number: WSUN-131816168

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
MN	[Legal Position] Nonrenewals require 60 days notice. The notice must contain the specific underwriting or other reason or reasons for the indicated action. Cancellations are allowed only for a limited number of specific reasons. Cancellations for policies effective less than 60 days, or for nonpayment of premium, require 20 days advance notice. All other cancellations require 30 days advance notice.	Minnesota Statutes § 65A.01 to 65A.29	[Legal Position] Provide evidence that the company has written no direct premiums in Minnesota during the prior 12 months, and currently has no unpaid claims for Minnesota policyholders. If the company is writing business in Minnesota or has unpaid Minnesota claims, provide a detailed explanation of the company's withdrawal plan including a description of what notice and treatment will be given by the insurer to its affected Minnesota policyholders, and a description of the projected impact upon the insurers' Minnesota agents and agency force, if any.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements Minnesota Statutes § 60A.052	Minnesota Statutes § 72A.17 to 72A.32
MO	[Legal Position] Cancellations allowed for a limited number of specific reasons. Advance notice required of 10 days for nonpayment of premium, otherwise 30 day notice is required. For nonrenewals, 30 day advance notice required and actual reason shall be specific and clear.	Missouri Revised Statutes § 375.002 to 375.004 20 CSR 500-1.100(2).2 https://insurance.mo.gov/industry/filings/checklists/documents/HomeownersDwellingFireandResidentialFarmFilingsChecklist-2019_000.pdf	Provide an explanation of the Company's plan to transfer business in the lines being deleted.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Missouri Revised Statutes § 375.930 to 375.948
MS	[Legal Position] A cancellation, reduction in coverage, or nonrenewal requires 30 days notice. Cancellation or nonrenewal due to nonpayment of premium requires only 10 days notice.	Mississippi Code § 83-5-28	[Legal Position] 60 days notice must be given to the Commissioner of Insurance.	Mississippi Code § 83-5-30	Mississippi Code § 83-5-29 to 83-5-51
MT	[Legal Position] Cancellations for nonpayment of premium require 20 days advance notice. All other cancellations and nonrenewals require 45 days notice. Cancellations may only be for a limited number of specific reasons.	Montana Code § 33-15-1105 and 33-23-401	Provide a description of requested change	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Montana Code § 33-18-101 to 33-18-1006

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
MN	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 72A.19] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.revisor.mn.gov/statutes/cite/72A.17	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
MO	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 375.934] defines unfair trade practices as being committed in conscious disregard or with such frequency to indicate a general business practice to engage in that type of conduct.	http://revisor.mo.gov/main/OneSection.aspx?section=375.930&bid=20424	2.00%	5.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
MS	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 83-5-33] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://codes.findlaw.com/ms/title-83-insurance/ms-code-sect-83-5-29.html	3.00%	4.00% + 3.00% nonadmitted policy fee	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
MT	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 33-18-102] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://leg.mt.gov/bills/mca/title_0330/chapter_0180/parts_index.html	2.75%	2.75%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
MN	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
MO	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
MS	Waived; no diligent search requirements in Mississippi [Secondary Source]	Locke Lord 2018 Excess and Surplus Lines Laws in the United States		
MT	Required; not on the export list	http://csimt.gov/wp-content/uploads/ApprovedRiskList.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
NC	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
ND	Prior Approval	No Provision	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Personal lines credit scoring algorithms must be filed and are considered trade secret.	Wolters Kluwer
NE	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Credit scoring plans are exempted from public inspections.	Wolters Kluwer
NH	File and Use (Competitive) Prior Approval (Noncompetitive)	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. Any information submitted as part of the form and rate review process that is required to be held confidential by law, such as proprietary predictive models, shall not be disclosed.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
NC	In the 2016 short session of the General Assembly, House Bill 287 was passed and, among other things, requires the Rate Bureau, if it uses a catastrophe model to present any modeled hurricane losses in property ratemaking, to use more than one model and to include certain statistical data in any property filing where a catastrophe model is used.	http://www.ncrb.org/Portals/0/ncrb/annual%20reports/NCRB%202016%20Annual%20Report%20(high-res).pdf?ver=2016-10-31-100144-023 https://www.ncleg.net/Sessions/2015/Bills/House/PDF/H287v7.pdf		[Department Practice] Rate capping has been found in approved North Carolina homeowners filings.	SERFF Tracking Number: CNNB-131198182
ND				[Department Practice] Rate capping has been found in approved North Dakota homeowners filings.	SERFF Tracking Number: AMSI-131398088
NE				[Department Practice] Rate capping has been found in approved Nebraska homeowners filings.	SERFF Tracking Number: PRGS-129695549
NH				[Department Practice] Rate capping has been found in approved New Hampshire homeowners filings.	SERFF Tracking Number: KEMP-131827105

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
NC	[Legal Position] An insurer may nonrenew a policy by providing 45 days notice before expiration of policy. The notice must include the reason for nonrenewal. Policy cancellations are prohibited except in certain circumstances. Notice of cancellation requires 15 days before the proposed effective date of cancellation.	North Carolina General Statutes Chapter 58. Insurance § 58-41-20, § 58-41-15	[Legal Position] A withdrawal plan for nonrenewing an entire book of business is required with 60 days notice to the commissioner. A withdrawal plan for in-term canceling an entire book of business is presumed unfair, unequitable, and contrary to the public interest. The commissioner may waive the 60 day requirement for nonrenewals, or allow cancellation of an entire book, for limited reasons such as impairment to solvency or minimizing disruption.	North Carolina General Statutes Chapter 58. Insurance § 58-41-45.	North Carolina General Statutes Chapter 58. Insurance § 58-63-1 to 58-63-60
ND	[Legal Position] Cancellation after a policy has renewed or been in effect for 60 days can only occur for a limited number of specific reasons and require 10 days advance notice. Certain reasons allow for only 5 days advance notice. Nonrenewals require 45 days advance notice.	North Dakota Century Code § 26.1-39-14 to 6.1-39-16	[Legal Position] An insurer must provide the commissioner notice in writing of its plan to cease writing and renewing a property and casualty insurance product before the notification of agents and policyholders. The notice must contain the effective date of the plan, the number of policies affected, and the reason therefor.	North Dakota Century Code § 26.1-25-04.4	North Dakota Century Code § 26.1-04-01 to 26.1-04-19
NE	[Legal Position] Cancellations and nonrenewals require 60 days advance notice, except for nonpayment of premium which requires 10 days advance notice. Cancellations after a policy has been effective for 60 days are allowed only for a limited number of specific reasons.	Nebraska Revised Statutes § 44-522	Provide a summary of the Company's plan to transfer or run-off any existing business in the lines to be deleted.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Nebraska Revised Statutes § 44-1522 to 44-1535
NH	[Legal Position] Cancellation after a policy has renewed or been effective for 90 days can only occur for a limited number of specific reasons and require 45 days advance notice. Cancellations before a policy has been effective for 90 days, or for nonpayment of premium, require 10 days notice. The nonrenewal of a homeowner's insurance policy is prohibited if the nonrenewal is based solely on the insured having filed a single valid claim within any one previous or current policy term. Inquiries about coverage on a policy do not constitute a valid claim and shall not be the basis for nonrenewals. Cancellations and nonrenewal cannot occur solely on the basis of credit information obtained from a credit rating, a credit history, or a credit scoring model, without consideration of any other applicable and permitted underwriting factor independent of credit information.	New Hampshire Revised Statutes § 417-B	Complete NH Application for Amendment Form	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	New Hampshire Revised Statutes § 417:1 to 417:17

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
NC	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 58-63-10] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.ncleg.net/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_58/Article_63.pdf	1.9% + 0.74% on property coverage contracts	5.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
ND	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 26.1-04-02] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.legis.nd.gov/cencode/t26-1c04.pdf#nameddest=26p1-04-01	1.75%	1.75%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
NE	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 44-1524] states define unfair trade practices as being committed flagrantly or with such frequency as to indicate a general business practice.	https://nebraskalegislature.gov/laws/statutes.php?statute=44-1522	1.00%	3.00% + applicable fire taxes	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
NH	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 417:3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXXVII-417.htm	1.25%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
NC	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf	Insurers must follow rates based on the North Carolina Rate Bureau (NCRB). Deviations may be filed for approval, but must be a downward deviation from NCRB's rates. The NCRB does not currently have flood rates.	North Carolina General Statutes Chapter 58. Insurance § 58-36-30. Deviations http://www.ncrb.org/ncrb/residentialproperty/ratefilings.aspx
ND	Required; not on the export list	http://www.nd.gov/ndins/uploads/25/450901.pdf		
NE	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
NH	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
NJ	Prior Approval	No Provision	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
NM	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
NV	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
NY	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Rate filings containing hurricane catastrophe (CAT) modeling will not be accepted for review due to a lack of sufficient experience. Insurers may use catastrophe factors and credits for hurricane mitigation programs and devices in ratemaking, however, provided that New York experience is used.	Wolters Kluwer	Confidentiality requests are allowed. Filings related to credit information are not subject to disclosure.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
NJ	[Regulator Interview] The Department encourages use of models to price flood due to limitations around historical loss data. Model must be actuarially sound.	Regulator Interviews	[Regulator Interview] Rates, rules, and forms expected to be filed (initial and rate changes), but no support required (informational). DOI prefers to see at least high level comparison to NFIP.	[Department Practice] Rate capping has been found in approved New Jersey homeowners filings.	SERFF Tracking Number TRVA-127634460
NM				[Department Practice] Rate capping has been found in approved New Mexico homeowners filings.	SERFF Filing Number: IACA-131832536
NV				[Department Practice] Rate capping has been found in approved Nevada homeowners filings.	SERFF Tracking Number: USAA-131477561
NY	The department has approved a filing for a flood endorsement to a homeowners policy, which uses risk scores similar to what a CAT model would produce.	SERFF Tracking Number: KSIN-130629543		[Legal Position] Not permitted. [Department Practice] The Department will only consider a transition rule when huge rate increases result from one of the following two situations: -Merger or acquisition -Complete change in the rating methodology of a program	https://www.dfs.ny.gov/insurance/ogco2003/rg030425.htm SERFF Tracking Number PMUT-131723902

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
NJ	[Legal Position] Pursuant to New Jersey law, this policy cannot be cancelled or nonrenewed for any underwriting reason or guideline which is arbitrary, capricious or unfairly discriminatory or without adequate prior notice to the insured. The underwriting reasons or guidelines that an insurer can use to cancel or nonrenew this policy are maintained by the insurer in writing and will be furnished to the insured and/or the insured's lawful representative upon written request. This provision shall not apply to any policy which has been in effect for less than 60 days at the time notice of cancellation is mailed or delivered, unless the policy is a renewal policy.	New Jersey Administration Code 11:1-20.3	If a company has no open liabilities in New Jersey for the lines it wishes to delete, it may submit a certification to that effect from its Board of Directors. If a company has open liabilities it must submit a withdrawal plan pursuant to New Jersey Administration Code 11:2-29.1 et seq.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	New Jersey Revised Statutes § 17:29B-1 to 17:29B-14
NM	[Legal Position] If a policy of insurance has been in effect for 60 days or more, an insurer may cancel the policy if there has been a substantial change in the risk assumed by the insurer since the policy was issued and the insurer provides 30 days notice. A limited number of specific reasons allow for cancellation after a policy has been effective for 60 days, with 15 days advance notice. Nonrenewals require 30 days advance notice.	New Mexico Administrative Code §13.8.4.8 - §13.8.4.9			New Mexico Statutes § 59A-16-1 to 59A-16-30
NV	[Legal Position] No insurance policy that has been in effect for at least 70 days or that has been renewed may be cancelled by the insurer except for a limited number of specific reasons. 10 days advance notice is required for nonpayment of premium, and 30 days notice is required for all other cancellations. Nonrenewals require 30 days notice. Cancellations and nonrenewals both require specific reason(s) for the action to be provided with the notice.	Nevada Revised Statutes § 687B.310, 320, and 340	The Application must identify all lines of insurance that the applicant is requesting authority to delete from an existing Certificate of Authority, as identified by the applicant's plan of operation. Submit a completed Checklist (Form 1C), and an original executed Application Form (Form 2C) and the company's original Certificate of Authority or an affidavit of lost Certificate of Authority (Form 15) as Item 1 of the application. Submit a completed Lines of Insurance (Form 3) as item 5 of the application.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Nevada Revised Statutes § 686A.010 to 686A.280
NY	[Legal Position] A policy cannot be cancelled for three years after being in effect for 60 days, with exceptions such as nonpayment of premium. Insurers may nonrenew a policy within the three year period with 45-60 day notice including a reason for the nonrenewal.	New York Insurance Law § 3425	[Legal Position] Written notice of withdrawal and a detailed plan must be provided at least 60 days in advance of implementation to the superintendent. The superintendent has 30 days to approve or disapprove the plan. Any withdrawal is prohibited until approved.	New York Insurance Law § 3425	New York Insurance Law § 2401 to 2409; § 2602 to 2612

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
NJ	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 17:29B-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://njlaw.rutgers.edu/collections/njstats/showsections.php?title=17&chapt=29B	2.10%	5.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
NM	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 59A-16-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://public.nmcompcomm.us/nmpublic/gateway.dll?f=templates&fn=default.htm	3.003%	3.003%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
NV	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 686A.020] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.leg.state.nv.us/NRS/NRS-686A.html	3.50%	3.50%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
NY	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 2403] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.nysenate.gov/legislation/laws/ISC/A24	2% (Also subject to franchise or retaliatory tax)	3.60%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
NJ	Waived for Primary and Excess Flood Coverage	https://www.state.nj.us/dobi/orders/a15_109exportlist.pdf		
NM	Waived for Flood Excess maximum limits available from Federal Flood	https://www.osi.state.nm.us/InsuranceBulletins/docs/Bulletin2015-007.pdf		
NV	Waived for Forced Flood Placement, and Difference in Conditions - Personal (which may include Flood)	http://www.nsla.org/export_list/export_list.aspx		
NY	Waived for Flood Excess of/Ineligible for Federal Flood	http://www.elany.org/coveragecodes.aspx?d=1031		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
OH	File and Use (If endorsement to Homeowners) Prior approval (If standalone Flood)	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 Ohio Revised Code § 3935.04	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are not allowed. [Regulator Interview] Filing and support are made public.	Wolters Kluwer Regulator Interviews
OK	Use and File (Competitive) File and Use (Noncompetitive)	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
OR	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. A rating model using credit history and the model's supporting information are considered a trade secret and may be marked as confidential.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
OH	[Regulator Interview] Catastrophe models need a significant amount of filed support, including justification of the model, intended use of the model, and would ideally include validation against a secondary model. All elements are open to the public.	Regulator Interviews	[Regulator Interview] Significant support is required. All rating variables need indicated deviation, selected factors, and rationale for differences. See Ohio Revised Code § 3937.03	[Department Practice] Rate capping has been found in approved Ohio homeowners filings.	SERFF Tracking Number: USAA-131647199
OK				[Department Practice] Rate capping has been found in approved Oklahoma homeowners filings.	SERFF Tracking Number: MTAE-131137811
OR				[Department Practice] Rate capping has been found in approved Oregon homeowners filings.	SERFF Tracking Number: NWPC-130989188

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
OH	[Legal Position] Allows policy to be cancelled with at least 10 days notice for the following reasons: (1) nonpayment of premium, (2) material misrepresentation, and (3) evidence of arson exists. All other cancellation reasons require a 30 day notice. Nonrenewals require a 30-day notice.	Ohio Administrative Code § 3901-1-18	To surrender its Certificate of Authority a company must provide notice to policyholders through publication and then make application to the Department to surrender. Companies intending to surrender should contact the Department for guidance on how to proceed.	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	Ohio Revised Code § 3901.19 to 3901.26; Ohio Administrative Code § 3901-1-07
OK	[Legal Position] No insurer shall cancel, refuse to renew or increase the premium of a homeowner's insurance policy or any other personal residential insurance coverage, which has been in effect more than 45 days, solely because the insured filed a first claim against the policy. Cancellation requires 10 days advance notice and nonrenewals require 30 days advance notice.	Oklahoma Statutes, Title 36. Insurance §36-3639.1 Oklahoma Administrative Code 365:15-1-14	[Legal Position] Pursuant to Oklahoma Regulation 365:15-1-18/Oklahoma Regulation 365:15-7-31. Any insurer desiring to withdraw from the state or discontinue the writing of certain classes of insurance in this state shall give ninety (90) days' notice in writing to the Insurance Department and shall state in writing its reasons for such action. The insurer shall also provide the following information: (1) The number of policyholders affected; (2) The number of insurance agents affected; (3) The date the insurer will cease writing new business; (4) The date the insurer will start nonrenewing insurance policies;	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	Oklahoma Statutes Title 36, § 1201 to 1220; § 1250.5
OR	[Legal Position] The insurer may cancel the policy at any time by giving 10 days' written notice of cancellation to the insured in the event of nonpayment of premium or 30 days' written notice for any other reason.	Oregon Revised Statutes § 742.224	[Legal Position] Per Oregon Revised Statutes § 731-512, submit an affidavit, which indicates the company has no outstanding claims, liabilities, or in-force business in the state of Oregon and if any should arise, the company will take full responsibility. Affidavit must be signed by an officer of the company. Submit current original Certificate of Compliance from state of domicile. Return original Certificate of Authority.	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	Oregon Revised Statutes § 746.005 to 746.270; Oregon Administrative Rules 836-080-0235

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
OH	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 3901.20] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices. Acts defined under [§§ 3901-1-07] are deemed unfair or deceptive if they are committed or performed "with such frequency as to indicate a general business practice"	http://codes.ohio.gov/orc/3901.19 ; http://codes.ohio.gov/oac/3901-1-07v1	1.40%	5.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
OK	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 36-1203] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://webserver1.lsb.state.ok.us/OK_Statutes/CompleteTitles/os36.rtf	2.25%	6.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
OR	The most recent version of the NAIC Model Law was not adopted in its entirety. Section 3 was not adopted.	https://www.oregonlegislature.gov/bills_laws/ors/ors746.html ; https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=205181	Corporate excise tax and retaliatory taxes	2.30%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
OH	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf Ohio Revised Code § 3905.33		
OK	Waived	Oklahoma Statutes Title 36, Insurance § 36-1106.2		
OR	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
PA	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 40 P.S. § 1224 40 P.S. § 477b.	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. [Regulator Interview] Information deemed confidential, trade secret, or proprietary by the insurer or filer will not be open to public inspection.	Wolters Kluwer Regulator Interviews
PR	File and Use	No Provision	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply. CAT models exposures must comply with specific rules from insurance regulation.	Wolters Kluwer	Confidentiality requests are allowed, subject to state discretion.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
PA	<p>[Regulator Interview] In accordance with 40 P.S. § 1224(a), insurers must file "every manual, minimum, class rate, rating schedule or rating plan, every other rating rule, and every modification of any of the foregoing which it proposes to use in this Commonwealth." These rates and rating rules must be public (again – see 40 P.S. § 1224(a)). The department's experience with CAT Models is that they are typically used to support the filed rates and rules (along with the actuarial indication and other supporting information) but are not typically part of the filed rates and rules themselves. As such, they can be filed as supporting documentation.</p> <p>However, if, in this instance, the CAT Model is part of the rates and rules – in other words, a risk's premium cannot be generated without it – then it needs to be filed in accordance with 40 P.S. § 1224(a). The department permits insurers to use underwriting tiers without filing the criteria used to place an insured in a particular underwriting tier so long as the filed underwriting tier rule states that underwriting tier placement is based on mutually exclusive underwriting criteria kept on file at the company's home office and no insured will be moved to a higher underwriting tier at renewal. Labels for each underwriting tier (e.g. Tier A, B, C, etc.) and their associated rating values must be publicly filed, however.</p>	Regulator Interviews	[Regulator Interview] The department understands that this is an underserved and emerging market and therefore supporting documentation may be limited.	[Department Practice] Rate capping has been found in approved Pennsylvania homeowners filings.	SERFF Tracking Number WSFG-131490790
PR					

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
PA	[Legal Position] Cancellation or nonrenewal of policies is only permissible for a limited number of reasons, and requires 30 day prior notice.	Pennsylvania Statutes Title 40 P.S. Insurance § 1171.5. Part (a) (9)	[Regulator Interview] Policies covering owner-occupied private residential property and personal property of individuals are highly protected from policy termination by the Unfair Insurance Practices Act. In particular, please see 40 P.S. § 1171.5(a)(9). Insurers can file Plans of Withdrawal if they need to withdraw their product from the market. Please see https://www.insurance.pa.gov/Companies/ChangeProfile/Pages/default.aspx .	Regulator Interviews	Pennsylvania Statutes Title 40 P.S. Insurance § 1171.1 to 1171.15
PR			<p>Every insurer or reinsurer authorized to transact insurance business in Puerto Rico, which intends to withdraw from doing business in this jurisdiction must comply with the following:</p> <ol style="list-style-type: none"> 1. Notify the Commissioner of Insurance of Puerto Rico at least thirty (30) days prior to the date in which it intends to withdraw from doing business or not renew its certificate of authority. 2. State the reasons for such nonrenewal or withdrawal. 3. Notify in writing all its active policyholders of such nonrenewal or withdrawal, and the effective date of said action. Copy of the written notification along with a list of said policyholders must be filed in this Office 4. Publish in two newspapers of general circulation in Puerto Rico, one edited in Spanish and the other in English, for two consecutive weeks, a notice indicating the date in which such nonrenewal or withdrawal will take place. The text of the notice in both languages must be filed in this Office for previous approval, and thereafter submit evidence of its publication. <p>Several additional requirements apply.</p>	Circular letter No. E-10-1395-95 http://www.ocs.gobierno.pr/enocspr/documents/asuntoslegales/Cartas%20Circulares/1995-1999/95-1395-10-E-ENGLISH.pdf	Puerto Rico Laws Title 26, § 2701 to 2740

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
PA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 1171.4] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=1974&sessInd=0&act=205	2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50 https://www.revenue.pa.gov/GeneralTaxInformation/Tax%20Types%20and%20Information/Corporation%20Taxes/Pages/Gross%20Premiums%20Tax.aspx https://www.revenue.pa.gov/GeneralTaxInformation/Tax%20Types%20and%20Information/Corporation%20Taxes/Pages/Gross%20Premiums%20Tax.aspx
PR	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 2702] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://ocs.gobierno.pr/enocspr/index.php/asuntos-legales/codigos-de-seguro	4.00%	9.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
PA	Waived	https://pabulletin.com/secure/data/vol48/48-23/902.html		
PR	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
RI	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Insurers are required to include the specific catastrophic risk planning model(s) used and explain how each model was used to determine the filed rate.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
SC	Prior Approval	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Specific model used in rate filings need to be reviewed by the DOI. Rate filings must identify the model and specific version that is used in the filing. The DOI published a list of the models approved for use in rate filings and a list of the output reports to be included in rate filings. If a company is using an unapproved model, then sufficient information must be provided.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer South Carolina Code of Laws 30-4-40(a)(1)
SD	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed. The DOI does not consider rates, rating schedules and rating rules to be confidential.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
RI	[Regulator Interview] No validation is needed for catastrophe model usage; support is sufficient. Description of modeling inputs/outputs and info should satisfy Actuarial Standards of Practice.	Regulator Interviews	[Regulator Interview] General model support would be required. Support requirements / scrutiny may ease if the program has been approved in other states.	[Department Practice] Transition rules and rate capping are to be explained on the Rate Procedural Information Summary	http://www.dbr.ri.gov/documents/divisions/insurance/property_casualty/Rate_Procedural_Information_Summary.pdf
SC	List of requirements included on CAT-Property tab of Property Actuarial Exhibits file. The tab is created for Hurricane model so not all items will apply, and additional relevant information is encouraged.	http://www.doi.sc.gov/DocumentCenter/View/10103/Property-Actuarial-Exhibits?bidId=	[Regulator Interview] Standard rate filing support requirements apply. The department also suggests sample policy comparison against NFIP for new programs.	[Department Practice] A one-term rate cap may be approved to limit policyholder disruption, but the manual rate must be achieved when the cap is removed at the next policy renewal. A transition plan is another form of rate capping, which may be approved as a transition from one rating plan to another rating plan over a period of time (no more than 3 years). There exists a 25% cap on premium increases at the policy level, which would apply to flood. [Regulator Interview] However, if a company has a story to tell, the Commissioner may take this into consideration.	https://www.doi.sc.gov/432/Property-Casualty Regulator Interview
SD				[Department Practice] Rate capping has been found in approved South Dakota homeowners filings.	SERFF Tracking Number: METX-130936272

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
RI	[Legal Position] Nonrenewals are not permitted for insureds who have taken mitigation steps requested by insurer against catastrophes, unless for nonpayment of premium, fraud, breach of policy, reversal or lack of maintenance of mitigation steps, or insurer solvency concerns or adverse loss history or on any other grounds not prohibited by statute. Nonrenewals are prohibited if solely based on policy/claim inquiries, a loss with less than \$500 payout, a loss from a catastrophe, or prior claims experience of the property under another's ownership, unless the risk from which the claim originated is not mitigated.	Statute 230-RICR-20-05-13	[Legal Position] 90 days written notice must be provided to the department to cease writing new business. A 90 day comprehensive nonrenewal plan must be submitted to the department if nonrenewing or cancelling large numbers of policies under certain listed circumstances under 230-RICR-20-05-13. Rhode Island General Laws 27-76-1, 27-29-4(7), and 27-29-4.1 must be adhered to.	Statute 230-RICR-20-05-13	Rhode Island General Laws § 27-29-1 to 27-29-13
SC	[Legal Position] For new policies in effect less than 120 days and is not a renewal policy, then cancellation is permitted given 30 days notice (or 10 if due to nonpayment of premium). Otherwise, cancellation is only allowable for a limited number of reasons. Policies may be nonrenewed at its expiration date with written notice; 60 days for expiration dates between Nov 1st and May 31st, and 90 days for June 1st through Oct 31st. No insurer may nonrenew a policy of homeowners insurance because the insured has filed a claim with that insurer for damages resulting from an act of God.	South Carolina Code of Laws 38-75-730, 38-75-740, 38-75-790	Written notice along with required information to be submitted to the department, including reason for withdrawal.	https://www.doi.sc.gov/432/Property-Casualty	South Carolina Code of Laws § 38-57-10 to 38-57-310; § 38-59-10 to 38-59-50
SD	[Legal Position] Nonrenewals require 30 day advance notice to the insured. Cancellations after a policy has been effective for 60 days are only acceptable for a limited number of specific reasons. Cancellations require 20 day advance notice.	South Dakota Codified Laws § 58-1-15, 58-33-60 and 61	For a foreign insurance company withdrawing entirely from the state, submit a written letter of request to withdraw signed by an officer. Indicate: No policies currently in force in SD & no outstanding claims or liabilities. State no if no business was done in calendar year or yes if premiums were received in calendar year. If yes, a "Final Premium Tax Return must be submitted along with taxes. Mark as Final Return. Return Original Certificate of Authority	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	South Dakota Codified Laws § 58-33-1 to 58-33-46.1 § 58-33-66 to 58-33-69

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
RI	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 27-29-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://webserver.rilin.state.ri.us/Statutes/TITLE27/27-29/INDEX.HTM	2.00%	4.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
SC	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 38-57-30] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://www.scstatehouse.gov/code/t38c057.php	1.25%	6.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
SD	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 58-33-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://sdlegislature.gov/statutes/Codified_laws/DisplayStatute.aspx?Statute=58-33&Type=Statute	2.50%	2.50%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
RI	Waived	http://webservice.rilin.state.ri.us/Statutes/TITLE27/27-3/27-3-38.HTM		
SC	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
SD	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
TN	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are not allowed, except for personal lines credit scoring models. Confidentiality applies only to the attributes and algorithm used to produce the Insurance Bureau Score.	Wolters Kluwer
TX	File and Use	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15 Texas Insurance Code, Chapter 2251 § 2251.101 Texas Insurance Code, Chapter 2301 § 2301.006	A company using catastrophe models in development of property insurance rates should include required information in a rate filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
UT	Use and File	File and Use	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
TN				[Department Practice] Rate capping has been found in approved Tennessee homeowners filings.	SERFF Tracking Number: HNVX-131522734
TX	<p>Confidentiality: [Regulator Interview] Policy form filings are open to public inspection, except for a Lloyd's plan or a reciprocal or interinsurance exchange with respect to commercial property insurance.</p> <p>Information in rate and rule filings is public information subject to Chapter 552, Government Code. TDI sends requests for information marked confidential to the Office of the Attorney General for a determination on whether to release or withhold the information.</p> <p>CAT Models: [Regulator Interview] General information should be provided about the model, including a description of how the model was validated, a disclosure of model settings, and any assumptions used.</p>	<p>Regulator Interviews</p> <p>Texas Insurance Code, Chapter 2301 § 2301.009</p> <p>Texas Insurance Code, Chapter 2251 § 2251.107</p>	<p>[Regulator Interview] General information should be provided in addition to requirements per state admin rules. The Department may ask for more detail [Admin Rules § 5.9335, § 5.9336]</p>	[Department Practice] Rate capping has been found in approved Texas homeowners filings.	SERFF Tracking Number: WOOD-131635125
UT				[Department Practice] Rate capping has been found in approved Utah homeowners filings.	SERFF Tracking Number: AGMK-131732956

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
TN	[Legal Position] Nonrenewals require 30 days advance notice to the insured.	Tennessee Code 56-7-1901	For a foreign insurance company withdrawing entirely from the state, provide a statement advising of the resolution of the company's current business in TN.	NAIC Uniform Certificate of Authority Application - Foreign Insurance Company Withdrawal	Tennessee Code 56-8-104
TX	[Legal Position] An insurer may only cancel a homeowners policy if the named insured does not pay any portion of the premium, the insured submits a fraudulent claim, the department determines that continuation of the policy would result in a violation insurance laws, or if there is an increase in the hazard covered by the policy that is within the control of the insured and that would produce an increase in the premium rate of the policy. In addition, an insurer may cancel a homeowner's insurance policy if the policy has been in effect less than 60 days and meet specific conditions related to the property. Texas limits nonrenewals based on claims history or based solely on credit score. Explanations of nonrenewals and cancellations must be available upon request. [Regulator Interview] Companies may not nonrenew or surcharge residential property policies for weather-related claims. This may not apply to standalone flood policies; the Texas Department of Insurance has no official legal position.	Texas Insurance Code, Chapter 551 § 551.101 to 551.113 Regulator Interviews Texas Insurance Code, Chapter 551 § 551.107; Texas Administrative Code Title 28 §21.1004	[Legal Position] Withdrawal plan required	Texas Insurance Code, Chapter 827	Texas Insurance Code, Chapter 541 § 541.001 to 541.454
UT	[Legal Position] An insurance policy may only be canceled by the insurer for a limited number of specific reasons after it has been effective for 60 days. Cancellation for nonpayment of premium or for policies effective less than 60 days require 10 days advance notice. Nonrenewals and all other cancellations require 30 day notice.	Utah Insurance Code 31A-21-303	[Legal Position] Deleting a line of business requires a plan of withdrawal as prescribed by UCA § 31A-4-115	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Utah Administrative Code Rule 590-154; Bulletin 2015-8

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
TN	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [56-8-103] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices. 56-8-103 does require that unfair claim practices be committed knowingly, or with such frequency as to indicate a general business practice, for the commissioner to levy a civil penalty or suspend or revoke a license.	https://codes.findlaw.com/tn/title-56-insurance/tn-code-sect-56-8-104.html	2.50%	5.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
TX	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 541.003] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://statutes.capitol.texas.gov/Docs/IN/htm/IN.541.htm	1.60%	4.85%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
UT	The most recent version of the NAIC Model Law was not adopted in its entirety. State version of Section 3 [Rule 590-154-4] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://rules.utah.gov/publicat/code/r590/r590-154.htm ; https://insurance.utah.gov/wp-content/uploads/2015-8Signed.pdf	2.25%	4.25%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
TN	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
TX	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf	Texas House Bill 1306 is pending legislation related to surplus lines. It would waive the diligent search requirement for obtaining flood coverage through the surplus line market, provided the insurance policy was issued by an eligible surplus lines insurer.	
UT	Waived for Difference-in-Condition - Personal	https://www.slaui.org/export-list		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
VA	File and Use (Competitive) Prior Approval (Noncompetitive)	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed for Rate/Rule filings.	Wolters Kluwer
VT	Use and File (Competitive) Prior Approval (Noncompetitive)	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Specific steps are required to exclude part of a filing from public access.	Wolters Kluwer
WA	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Under RCW 48.19.035, insurance scoring models will be kept confidential by the OIC	https://www.insurance.wa.gov/sites/default/files/documents/serff-personal-insurance-scoring-model-general-instructions.pdf

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
VA	[Regulator Interview] There are no limitations on the use of catastrophe models for underwriting. If such models are used to determine final rates, then regulators won't need to see model. If such models modify rates, then the model must be filed physically, with details regarding attributes, rates, output, and calculation.	Regulator Interviews	[Regulator Interview] Rate standards certification required	[Legal Position] Rate capping is allowed for renewal policies, policies acquired from another entity, or from an agent book of transfer. Premiums must converge with uncapped rates within 5 years unless otherwise approved. Caps may be applied to increase only, both increase and decreases, but NOT decreases only. No more than one rate stabilization plan is allowed at a time.	Virginia Administrative Code 14VAC5-345-30 and 14VAC5-345-50
VT				[Department Practice] Rate capping has been found in approved Vermont homeowners filings.	SERFF Tracking Number: HMSS-131687711
WA				[Department Practice] Rate capping has been found in approved Washington homeowners filings.	SERFF Tracking Number: LBPM-131578561

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
VA	<p>[Legal Position] An insurance policy may only be canceled by the insurer for a limited number of specific reasons after it has been effective for 90 days. Cancellation for nonpayment of premium or for policies effective less than 90 days that have not renewed require 10 days advance notice. Nonrenewals and all other cancellations require 30 day notice.</p> <p>Nonrenewal cannot be solely based on a number of specific reasons. These include credit information, any claim resulting from natural causes, and one or more claims within the 60 months immediately prior to the expiration of the policy period.</p>	Virginia Code §38.2-2114	Letter signed by Company officer stating lines of authority to be deleted from license. An amended license will be issued reflecting this deletion. It is the responsibility of the applicant to verify with the Bureau that deletion of requested lines does not affect its ability to write certain products in the Commonwealth.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Virginia Code § 38.2-500 to 38.2-516
VT	<p>[Legal Position] If policies have not renewed and have been in effect less than 60 days, they may be cancelled at anytime. Otherwise, policies may only be cancelled for a limited number of specific reasons, with 45 days advance notice required. Nonpayment of premium and substantial increase in hazard only require 15 days advance notice.</p> <p>Nonrenewals require 45 days advance notice.</p>	Vermont Statutes Title 8, § 3879 to 3883	<p>Licensed companies are not licensed for specific authorized lines of insurance. Each company is licensed for the lines indicated by its charter or domestic state.</p> <p>Note – Companies withdrawing lines of insurance are subject to all cancellation, renewal, nonrenewal and notification clauses, as well as applicable HIPPA and Vermont Statutes. For more information on the above clauses, contact the Insurance Analysis Section of the Department.</p>	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Vermont Statutes Title 8, § 4721 to 4726
WA	<p>[Legal Position] Cancellations and nonrenewals require 45 days advance notice to the insured. Specific notification requirements apply. Cancellation for nonpayment of premium requires only 10 days advance notice.</p>	Revised Code of Washington, §48.18.290 and §48.18.2901	<p>[Legal Position] No insurer shall withdraw until its direct liability to its policyholders and obligees under all its insurance contracts then in force in this state has been assumed by another authorized insurer under an agreement approved by the commissioner.</p> <p>The commissioner may waive this requirement if he or she finds upon examination that a withdrawing insurer is then fully solvent and that the protection to be given its policyholders in this state will not be impaired by the waiver.</p>	Washington Revised Code § 48.05.290	Washington Revised Code § 48.30.010 to 48.30.270

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
VA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 38.2-500] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://vacode.org/38.2/5/	2.25% + 1% assessment for homeowner's insurance	2.25% + 1% assessment for homeowner's insurance	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
VT	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 4723] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://legislature.vermont.gov/statutes/fullchapter/08/129	2.00%; tax rates subject to retaliation	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
WA	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 48.30.010 (1)] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://app.leg.wa.gov/rcw/default.aspx?cite=48.30	2.00%	2.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
VA	Waived; no diligent search requirements in Virginia [Secondary Source]	Locke Lord 2018 Excess and Surplus Lines Laws in the United States	[Department Practice] Administrative Order 12077, effective March 2019, suspended filing requirements for rate and supplementary rate information for private flood insurance as set forth in Virginia Code §38.2-1906.	http://www.scc.virginia.gov/boi/adminords/12077.pdf
VT	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		
WA	Required [Secondary Source]	https://riskcenter.wharton.upenn.edu/wp-content/uploads/2018/07/Emerging-Flood-Insurance-Market-Report.pdf		

State	Rate Approval Basis	Form Approval Basis	Approval Basis Source	CAT Model Filing Requirements	CAT Model Filing Requirements Source	Confidentiality	Confidentiality Source
WI	Use and File	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer
WV	Prior Approval	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Normal filing requirements apply.	Wolters Kluwer	Insurance scoring models must be filed separately and clearly identified as proprietary/trade secret.	Wolters Kluwer
WY	No File / Drawer	Prior Approval	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections II-PA-10, II-PA-15	Catastrophe models require filing.	Wolters Kluwer	Confidentiality requests are allowed.	Wolters Kluwer

State	Other Notes on CAT Models & Confidentiality	Other Notes on CAT Models & Confidentiality Source	Regulator Notes on Private Flood Rate Filings	Restrictions on Rate Capping / Stabilization	Restrictions on Rate Capping / Stabilization Source
WI			[Regulator Interview] No support required.	[Department Practice] Rate capping has been found in approved Wisconsin homeowners filings.	SERFF Tracking Number: ASIT-131904955
WV				[Department Practice] Rate capping has been found in approved West Virginia homeowners filings.	SERFF Tracking Number: NWPP-131333233
WY					

State	Cancellation / Nonrenewal Laws	Cancellation / Nonrenewal Laws Source	Exit Barriers	Exit Barriers Source	State Adoption of Unfair Trade Practices Act
WI	[Legal Position] Cancellations for policies that have renewed or been effective for 60 days or longer are only allowed for a limited number of specific reasons. All cancellations require 10 days advance notice to the insured. Nonrenewals require 60 days notice to the insured.	Wisconsin State Legislation §616.36	[Legal Position] Any action by which a nondomestic insurer proposes to transfer to another person or to reinsure any part of its insurance business in this state, other than in the normal and usual course of business, shall be reported to the commissioner not less than 30 days in advance of the proposed effective date. The commissioner may defer the effective date for an additional period not exceeding 30 days by written notice to the insurer before expiration of the initial 30-day period. The commissioner may, within the 30-day period or its extension, prohibit the proposed action if it would be contrary to the law or to the interests of insureds, creditors or the public in this state.	Wisconsin State Legislation §618.32	Wisconsin Statutes § 628.31 to 628.46; Wisconsin Administrative Code Ins. § 6.68
WV	[Legal Position] Nonrenewals require 30 days advance notice to the insured. Cancellations after a policy has renewed or been effective for more than 60 days are only allowed for a limited number of specific reasons. Policies that have been in force for at least four years may not be nonrenewed or cancelled for either of the following reasons: A single first party property damage claim within the previous 36 months and that arose from wind, hail, lightning, wildfire, snow, or ice, unless the insurer has evidence that the insured unreasonably failed to maintain the property and that failure to maintain the property contributed to the loss; or Two first party property damage claims within the previous 12 months, both of which arose from claims solely due to an event for which a state of emergency is declared for the county in which the insured property is located, unless the insurer has evidence that the insured unreasonably failed to maintain the property and that failure to maintain the property contributed to the loss.	West Virginia Code §33-17A-4 to §33-17A-6	At least 45 days prior to the date an insurance company anticipates issuing notices of any type of withdrawal activity, the insurer must submit a formal withdrawal plan to the West Virginia Offices of the Insurance Commissioner for approval. A Line of Authority Withdrawal Plan is required if the insurer intends to surrender or nonrenew any or all of its licenses.	https://www.wvinsurancereg.com/company/Company/Line-Of-Authority-Withdrawal	West Virginia Code § 33-11-1 to 33-11-10
WY	[Legal Position] Cancellations for policies that have renewed or been effective for 60 days or longer are only allowed for a limited number of specific reasons. 10 days notice is required for nonpayment of premium and 45 days notice is required other allowed reasons with the exception of material misrepresentation by the insured. Nonrenewals require 45 days advance notice and precise reasons for nonrenewal must be given.	Wyoming Statutes § 26-35-202 and 203	Wyoming requires a written request from an officer stating which line(s) the company wants to delete. In addition, the original Certificate of Authority (or an affidavit of loss) must be returned for amendment. If leaving the property & casualty market, the company must comply with Chapter 35 of the Wyoming Insurance Code.	NAIC Uniform Certificate of Authority Application - Deleting Lines of Business Requirements	Wyoming Statutes § 26-13-101 to 26-13-124

State	Adoption of NAIC Model Law on Unfair Trade Practices	Link to Version of Unfair Trade Practices Act	P&C Premium Tax Rates	Surplus Lines Tax Rates	Tax Rates Source
WI	The most recent version of the NAIC Model Law was not adopted in its entirety. Section 3 was not adopted.	http://docs.legis.wisconsin.gov/statutes/statutes/628.pdf ; https://docs.legis.wisconsin.gov/code/admin_code/ins/6/68	Foreign: 2.00%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
WV	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 33-11-3] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	http://www.wvlegislature.gov/wvcode/code.cfm?chap=33&art=11	5.05% (3% + additional 1% + 0.55% surcharge + 0.5% fire marshal)	4% + 0.55% surcharge	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50
WY	The most recent version of the NAIC Model Law was adopted in its entirety. State version of Section 3 [§§ 326-13-102] does NOT require that practices be committed flagrantly in violation of law, or with such frequency as to indicate a general business practice, to be defined as unfair trade practices.	https://codes.findlaw.com/wy/title-26-insurance-code/wy-st-sect-26-13-101.html	0.75%	3.00%	NAIC Compendium of State Laws on Insurance Topics, November 2018 Update #91 Sections III-TX-10, III-TX-50

State	Surplus Line Flood Insurance Diligent Search Requirements	Surplus Line Flood Insurance Diligent Search Requirements Source	Other Notes	Other Notes Source
WI	Waived; no diligent search requirements in Wisconsin [Secondary Source]	Locke Lord 2018 Excess and Surplus Lines Laws in the United States		
WV	Waived	https://www.wvinsurance.gov/Portals/4/pdf/2014%20Surplus%20Lines%20Export%20List.pdf?ver=2015-06-08-145236-767		
WY	Required; not on the export list	https://sites.google.com/a/wyo.gov/doi/SL%20Frequently%20Asked%20Questions%20May%201%2C%202018%20Final.pdf		