

**191—21.5(515I) Procedures for qualification and renewal as an eligible surplus lines insurer.****21.5(1) Application and procedures for initial qualification as an eligible surplus lines insurer.**

a. Any nonadmitted insurer or domestic surplus lines insurer who wishes to qualify under Iowa Code chapter 515I as an eligible surplus lines insurer must make an application with the division in a format prescribed by the division, as instructed on the division's website.

b. The application must include:

(1) The name of an Iowa resident surplus lines insurance producer whom the insurer is designating as the person to accept inquiries and notices on behalf of the insurer.

(2) Payment of the greater of a \$100 filing fee or a retaliatory fee, and an examination fee for all new applicants.

(3) Demonstrated maintenance of the capital and surplus required pursuant to Iowa Code chapter 515I.

c. In addition to the above requirements, the nonadmitted insurer must have been actively in operation for at least three years without significant changes in ownership or management during the three-year period. This management requirement may be waived pursuant to the division's waiver process in 191—Chapter 4.

**21.5(2) Procedures for renewal of an insurer as an eligible surplus lines insurer.** An eligible surplus lines insurer that was approved by the division as an eligible surplus lines insurer, except for an alien insurer under Iowa Code section 515I.2(7)“b,” must by March 1 of each year following the year of approval:

a. Be in compliance with subparagraph 21.5(1)“b”(3);

b. Pay the greater of a \$100 renewal fee or a retaliatory fee; and

c. Submit to the division the documents and materials listed on the division's website.

**21.5(3) Periodic reporting.** An eligible surplus lines insurer, except for an alien insurer under Iowa Code section 515I.2(7)“b,” must submit quarterly financial statements to the division as instructed on the division's website.

**21.5(4) Failure to comply with renewal procedures.** Failure of an eligible surplus lines insurer to timely submit the renewal materials required by subrule 21.5(2) will result in the automatic termination of the insurer's status as an eligible surplus lines insurer.

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