

Superseded 5/10/2016

31A-15-208 Purchasing groups -- Filing and registration requirements.

- (1) A purchasing group that intends to do business in this state shall, prior to doing business, furnish notice to the insurance commissioner:
 - (a) identifying the state in which the purchasing group is domiciled;
 - (b) identifying any state in which the purchasing group intends to do business;
 - (c) specifying the lines and classifications of liability insurance that the purchasing group intends to purchase;
 - (d) identifying the insurers from which the group intends to purchase its insurance and the domicile of the insurers;
 - (e) specifying the method by which, and any persons through whom, insurance will be offered to group members whose risks are resident or located in this state;
 - (f) identifying the principal place of business of the purchasing group; and
 - (g) providing any other information required by the commissioner to verify that the purchasing group is a "purchasing group," as defined in Section 31A-15-202.
- (2) A purchasing group shall notify the commissioner of a change in an item listed in Subsection (1) within 10 days of the change.
- (3)
 - (a) A purchasing group shall annually register with the commissioner and pay a filing fee.
 - (b) A purchasing group shall designate the commissioner as its agent solely for the purpose of receiving service of legal documents or process.
 - (c) The registration and fee requirements of this Subsection (3) do not apply to a purchasing group that only purchases insurance that was authorized under the Product Liability Risk Retention Act of 1981, and that:
 - (i) in any state of the United States:
 - (A) was domiciled before April 1, 1986; and
 - (B) is domiciled after October 27, 1986;
 - (ii)
 - (A) before October 27, 1986, purchased insurance from an insurer licensed in any state; and
 - (B) since October 27, 1986, purchased its insurance from an insurer licensed in any state; or
 - (iii) was a purchasing group under the requirements of the Product Liability Risk Retention Act of 1981 before October 27, 1986.
- (4) A purchasing group that is required to give notice under Subsection (1) shall also furnish information required by the commissioner to:
 - (a) verify that the entity qualifies as a purchasing group;
 - (b) determine where the purchasing group is located; and
 - (c) determine appropriate tax treatment of the purchasing group.