

**Effective 10/1/2015**

**31A-16-108.5 Supervisory colleges.**

- (1)
  - (a) For an insurer registered under Section 31A-16-105 and in accordance with Subsection (3), the commissioner may participate in a supervisory college for a domestic insurer that is part of an insurance holding company system with international operations to determine compliance by the insurer with this chapter. The powers of the commissioner with respect to supervisory colleges include the following:
    - (i) initiating the establishment of a supervisory college;
    - (ii) clarifying the membership and participation of other supervisors in the supervisory college;
    - (iii) clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;
    - (iv) coordinating the ongoing activities of the supervisory college, including:
      - (A) planning meetings;
      - (B) supervisory activities; and
      - (C) processes for information sharing; and
    - (v) establishing a crisis management plan.
- (2)
  - (a) A registered insurer subject to this section is liable for and shall pay the reasonable expenses of the commissioner's participation in a supervisory college in accordance with Subsection (3), including reasonable travel expenses.
  - (b) For purposes of this section, a supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with supervision of the insurer or its affiliates and the commissioner may establish a regular assessment to the insurer for the payment of these expenses.
- (3)
  - (a) The commissioner may participate in a supervisory college with other regulators charged with supervision of the insurer or its affiliates, including:
    - (i) other state regulatory agencies;
    - (ii) federal regulatory agencies; or
    - (iii) international regulatory agencies.
  - (b) The commissioner may enter into agreements in accordance with Section 31A-16-109 providing the basis for cooperation between the commissioner and other regulatory agencies, and the activities of the supervisory college, in order to assess:
    - (i) the business strategy;
    - (ii) financial position;
    - (iii) legal and regulatory position;
    - (iv) risk exposure; and
    - (v) management and governance processes.
  - (c) Nothing in this section shall delegate to the supervisory college the authority of the commissioner to regulate or supervise the insurer or its affiliates within its jurisdiction.

Enacted by Chapter 244, 2015 General Session