

**31A-25-206 Nonresident jurisdictional agreement.**

- (1)
  - (a) If a nonresident license applicant has a valid license from the nonresident license applicant's home state and the conditions of Subsection (1)(b) are met, the commissioner shall:
    - (i) waive any license requirement for a license under this chapter; and
    - (ii) issue the nonresident license applicant a nonresident third party administrator license.
  - (b) Subsection (1)(a) applies if:
    - (i) the nonresident license applicant:
      - (A) is licensed as a resident in the nonresident license applicant's home state at the time the nonresident license applicant applies for a nonresident third party administrator license;
      - (B) has submitted the proper request for licensure;
      - (C) has submitted to the commissioner:
        - (I) the application for licensure that the nonresident license applicant submitted to the applicant's home state; or
        - (II) a completed uniform application; and
      - (D) has paid the applicable fees under Section 31A-3-103;
    - (ii) the nonresident license applicant's license in the applicant's home state is in good standing; and
    - (iii) the nonresident license applicant's home state awards nonresident third party administrator licenses to residents of this state on the same basis as this state awards licenses to residents of that home state.
- (2) A nonresident applicant shall execute in a form acceptable to the commissioner an agreement to be subject to the jurisdiction of the Utah commissioner and courts on any matter related to the applicant's insurance activities in Utah, on the basis of:
  - (a) service of process under Sections 31A-2-309 and 31A-2-310; or
  - (b) other service authorized in the Utah Rules of Civil Procedure.
- (3) The commissioner may verify the third party administrator's licensing status through the database maintained by:
  - (a) the National Association of Insurance Commissioners; or
  - (b) an affiliate or subsidiary of the National Association of Insurance Commissioners.
- (4) The commissioner may not assess a greater fee for an insurance license or related service to a person not residing in this state based solely on the fact that the person does not reside in this state.

Amended by Chapter 116, 2001 General Session