

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 04 INSURERS

31.04.04 Annual Statements and Participation in National Association of Insurance Commissioners Information System

Authority: Insurance Article, §§2-109(a)(1), 4-116, 14-121, 14-411(a), and 14-413; Health-General Article, §§[17-728,] 19-705, [and] 19-717, and 19-728, Annotated Code of Maryland

Notice of Proposed Action

[19-060-P]

The Insurance Commissioner proposes to amend Regulation .01 under **COMAR 31.04.04 Annual Statements and Participation in National Association of Insurance Commissioners Information System**.

Statement of Purpose

The purpose of this action is to amend the authority line under COMAR 31.04.04 to correct an erroneous reference. In addition, Regulation .01 is being amended in response to several inquiries the Maryland Insurance Administration has received from companies regarding who should sign their statutorily required financial filings. The National Association of Insurance Commissioners Statutory Statement instructions on signatures refers companies to the domestic state's requirement, and the current Maryland statutes and COMAR references point back to the NAIC instructions. The Maryland Insurance Administration is therefore proposing a change to clarify that both the annual statements and quarterly statements be prepared under oath, to clarify that the statements must be signed by at least two executive officers, and to specify who the executive officers can be. The amendments also require that foreign companies prepare their annual and quarterly statements in accordance with the laws of the company's home state.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Lisa Larson, Regulations Manager, Maryland Insurance Administration, 200 Saint Paul Place, Suite 2700, Baltimore, MD 21202, or call 410-468-2007, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through April 29, 2019. A public hearing has not been scheduled.

.01 Required Financial Filings.

A. Annual Statements.

(1)—(3) (text unchanged)

(4) *A domestic company's annual statement shall be prepared under oath and signed by at least two executive officers. The executive officers authorized to sign the oath shall include:*

(a) *The president, vice-president, or chief financial officer;*
and

(b) *The secretary, treasurer, CEO, or other officer approved by the Commissioner.*

(5) *A foreign company's annual statement shall be prepared and executed in accordance with the laws and regulations of the company's home state.*

B. Quarterly Statements.

(1)—(3) (text unchanged)

(4) *A domestic company's quarterly statement shall be prepared under oath and signed by at least two executive officers. The executive officers authorized to sign the oath shall include:*

(a) *The president, vice-president, or chief financial officer;*
and

(b) *The secretary, treasurer, CEO, or other officer approved by the Commissioner.*

(5) *A foreign company's annual statement shall be prepared and executed in accordance with the laws and regulations of the company's home state.*

C. (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner