

*****DRAFT - NOT FOR FILING*****

3901-1-57 Transaction fees.

(A) Purpose

The purpose of this rule is to establish fees and charges for certain transactions or services required to be performed by the department of insurance.

(B) Authority

This rule is ~~issued~~promulgated pursuant to the authority vested in the superintendent under sections 3901.041, ~~and~~3901.043 and 3913.37 of the Revised Code.

(C) The following schedule of fees is established for transactions and services performed under the following:

(1) Transactions pursuant to section 3901.321 of the Revised Code:

- (a) Filing of the statement (form A) relating to the change of control or takeover of a domestic insurance company. Twenty-five hundred dollars.
- (b) Filing for an exemption from the requirements of section 3901.321 of the Revised Code. One thousand dollars.

(2) Transactions pursuant to section 3901.341 of the Revised Code:

- (a) Filing of any transaction (form D) required by this paragraph. Two hundred fifty dollars.

(3) Transactions pursuant to Chapter 3905. of the Revised Code:

- ~~(a) Filing of a notice of cancellation of an agent appointment. Five dollars/per license.~~
- ~~(b)~~(a) Filing of a notice of appointment of an agent, including the renewal of an agent at the time of annual renewal. ~~Twenty~~Fifteen dollars/per appointment.
- ~~(e)~~(b) Filing for authority to conduct business as a surplus lines insurer. One thousand dollars/annually.

(4) Transactions pursuant to sections 3907.09 to 3907.12 of the Revised Code:

- (a) Filing of a petition of merger or consolidation of a life, accident or health insurance company. Fifteen hundred dollars.
- (b) Filing for approval of a plan of reinsurance that exceeds the limits set forth in section 3907.12 of the Revised Code, or a plan of assumption reinsurance on policies issued by a domestic insurance company. Fifteen hundred dollars.

(5) Transactions pursuant to section 3911.011 of the Revised Code:

- (a) Filing of any policy, certificate, endorsement, application or form for the purpose

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of determining compliance. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each policy, certificate, endorsement, application, or form is considered as a separate filing. Fifty dollars.

- (6) Transactions pursuant to sections 3913.01 to 3913.38 of the Revised Code:
 - (a) Filing of a plan of conversion of a domestic stock life insurance corporation into a mutual insurance corporation. Twenty-five hundred dollars.
 - (b) Filing of a plan of conversion of a domestic mutual life insurance company to a stock life insurance company. Twenty-five hundred dollars.
 - (c) Filing of a plan of conversion of a non-life mutual insurance company to a stock non-life insurance company. Twenty-five hundred dollars.
 - (d) Filing of a plan of reorganization or merger of a mutual insurance company or mutual insurance holding company. Twenty-five hundred dollars.
- (7) Transactions pursuant to section 3913.40 of the Revised Code:
 - (a) Filing of a plan to transfer the domicile of an insurance company either to or from the state of Ohio. Twenty-five hundred dollars.
- (8) Transactions pursuant to section 3915.14 of the Revised Code:
 - (a) Filing of any policy, certificate, endorsement, application or form for the purpose of determining compliance. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each policy, certificate, endorsement, application, or form is considered as a separate filing. Fifty dollars.
- (9) Transactions pursuant to section 3917.06 of the Revised Code:
 - (a) Filing of any policy, certificate, endorsement, application or form for the purpose of determining compliance. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each policy, certificate, endorsement, application, or form is considered as a separate filing. Fifty dollars.
- (10) Transactions pursuant to section 3918.07 of the Revised Code:
 - (a) Filing of any policy, certificate, endorsement, application or form for the purpose of determining compliance. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each policy, certificate, endorsement, application or form is considered as a separate filing. Fifty dollars.
- (11) Transactions pursuant to section 3923.02 of the Revised Code:
 - (a) Filing of any policy, certificate, endorsement, application or form for the purpose of determining compliance. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each policy, certificate, endorsement, application or form is considered as a separate filing. Fifty dollars.

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(12) Transactions pursuant to section 3935.04 of the Revised Code:

- (a) Any filing per insurer, required to be submitted to the superintendent. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each form or policy is considered a separate filing. Fifty dollars/filing.
- (b) Any excess rate filing required to be submitted to the superintendent pursuant to division (G) of section 3935.04 of the Revised Code is exempt from the filing fee.

(13) Transactions pursuant to section 3937.03 of the Revised Code:

- (a) Any filing per insurer, required to be submitted to the superintendent. Multiple forms relating to a single policy may be filed together for one fee, otherwise, each form or policy is considered a separate filing. Fifty dollars.
- (b) Any special filing pursuant to division (E) of section 3937.03 of the Revised Code and any excess rate filing pursuant to division (G) of section 3937.03 of the Revised Code that are required to be submitted to the superintendent are exempt from the filing fee.

(D) Whenever another state or jurisdiction charges a greater fee for a transaction listed in this rule to an insurer domiciled in Ohio, then the superintendent may charge that higher fee to the insurer not domiciled in Ohio, who seeks to have the transaction completed in this state.

(E)

- (1) The department will invoice the insurer for the fee charged for the transactions listed in ~~paragraphs~~ paragraph (C)(3)(a) ~~and (C)(3)(b)~~ of this rule.
- (2) Fees charged for the transactions listed in paragraphs (C)(1), (C)(2), ~~(C)(3)(a)~~ (C)(3)(b), (C)(4), (C)(6) and (C)(7) of this rule shall be submitted with the first documents sent to the department.
- (3) Fees charged for the transactions listed in paragraphs (C)(5), (C)(8), (C)(9), (C)(10), (C)(11), (C)(12) and (C)(13) of this rule shall be paid via the "EFT" functionality built into the "System for Electronic Rate and Form Filings" commonly known as "SERFF".
- (4) All fees collected pursuant to this rule shall be deposited to the credit of the department of insurance operating fund created pursuant to section 3901.021 of the Revised Code.

(F) Severability

If any paragraph, term or provision of this rule is adjudged invalid for any reason, ~~such~~ the judgment shall not affect, impair or invalidate any other paragraph, term or provision

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of this rule, but the remaining paragraphs, terms and provisions shall be and continue in full force and effect.