

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R101-06

Effective June 28, 2006

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 679B.130.

A REGULATION relating to insurance; repealing certain provisions concerning filing of certain forms and reports with the Commissioner of Insurance; and providing other matters properly relating thereto.

Section 1. NAC 680B.060 and 680B.080 are hereby repealed.

TEXT OF REPEALED SECTIONS

680B.060 Filing on behalf of group. An insurer which submits a form for a policy, rate, rider or endorsement to the Commissioner on behalf of a group of insurers of which it is a member will be charged a single filing fee if the form is identified in the letter of transmittal as being filed on behalf of the group and the filing applies to all members of the group.

680B.080 Amendment submitted to report receipt of additional premium. An amendment to a memorandum of coverage of open lines insurance which is submitted to report the receipt of an additional premium:

1. Will be assessed a filing fee if the policy is one which is audited and reported periodically.
2. Will not be assessed a filing fee if the policy is one whose premium is paid in installments.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R101-06

The Commissioner of Insurance adopted regulations assigned LCB File No. R101-06 which pertain to chapter 680B of the Nevada Administrative Code on June 16, 2006.

Notice date: 4/19/2006

Date of adoption by agency: 6/16/2006

Hearing date: 5/25/2006

Filing date: 6/28/2006

INFORMATIONAL STATEMENT

A workshop and hearing was held on May 25, 2006, at the offices of the Department of Business and Industry, Division of Insurance (Division), 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, with a simultaneous video-conference conducted at the Bradley Building, 2501 E. Sahara Avenue, Manufactured Housing Division Conference Room, 2nd Floor, Las Vegas, Nevada 89104, regarding the adoption of the regulation repealing certain provisions concerning filing of certain forms and reports with the Commissioner, and providing other matters properly relating thereto.

Public comment was solicited by posting notice of the hearing in the following public locations: the Division's Carson City Office, Legislative Counsel Bureau, Capitol Building Lobby, Blasdel Building, Carson City Courthouse, State Library, Capitol Press Room, the Division's Las Vegas Office, and by e-mail to the Property & Casualty Advisory Committee, and interested parties thereto.

The Division maintains a list of interested parties, comprised mainly of insurance companies, agencies and other persons regulated by the Division. These persons were notified of the hearing and that copies of the regulation could be obtained from or examined at the offices of the Division in Carson City.

The hearing was attended by four interested parties in Carson City and one interested party in Las Vegas. Two persons provided oral testimony, one written comment was timely received, and one written comment was received past the required deadline.

Considering the comments at the hearing, the written comments submitted, and the recommendation of the Hearing Officer, the Commissioner has issued an order adopting the regulation as a permanent regulation of the Division.

The proposed regulation was adopted as submitted.

The economic effect of the regulation is as follows:

(a) On the business it is to regulate:

The impact on the business it regulates would be nominal. The filing fee for companies under a group would increase by having to submit a separate filing fee for each company.

There is no economic impact by repealing Nevada Administrative Code (NAC) 680B.080.

(b) On the public:

There would be a beneficial impact on the public. The Division will be able to assist consumers, companies, lawyers, associations and other agencies that inquire about filings by having quick, easy access to company filing information.

There is no economic impact by repealing NAC 680B.080.

The Division does anticipate an additional cost for the enforcement of the regulation. The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

IN THE MATTER OF

CAUSE NO. **06.444**
LCB File No. R101-06

**PROPOSED REGULATION CONCERNING
FILING OF CERTAIN FORMS AND
REPORTS WITH THE COMMISSIONER
OF INSURANCE AND PROVIDING OTHER
MATTERS PROPERLY RELATING
THERE TO.**

**SUMMARY OF PROCEEDINGS
AND ORDER**

SUMMARY OF PROCEEDINGS

A public workshop, as required by Nevada Revised Statute (NRS) 233B.061, on the proposed regulation concerning company rate and form filing requirements, and filing certain reports with the Commissioner of Insurance, was held before Pamela Mackay, Deputy Insurance Commissioner, on May 25, 2006, in Carson City, Nevada, and video-conferenced to the Bradley Building in Las Vegas, Nevada. A public hearing on the proposed regulation was also held before Deputy Commissioner Mackay on May 25, 2006, in Carson City, Nevada, and video-conferenced to the Bradley Building in Las Vegas, Nevada. The regulation is proposed under the authority of NRS 679B.130.

The Department of Business and Industry, Division of Insurance (Division), received written comments from Christian John Rataj, Esq., representing the National Association of Mutual Insurance Companies; and Kate Diehl, Legislative Advocate for the Property Casualty Insurers Association of America (PCI). These written comments were not in favor of the proposed regulation. The hearing was attended by four interested parties in Carson City and one interested party in Las Vegas. The following persons provided testimony before the Hearing Officer: Elena Ahrens and Ted Batchelder, representing the Division; Jeanette Belz, of J.K. Belz

& Associates, Inc., representing the PCI; and Kay Lockhart, representing the Nevada Association of Independent Insurance Agents.

The Hearing Officer ruled that the proposed regulation should be adopted, as presented, and agreed with the suggestion by Division staff that a clarifying bulletin be prepared for release upon adoption, by the Commissioner, of the regulation.

RECOMMENDED ORDER OF THE HEARING OFFICER

Based upon the testimony received at the hearing, it is recommended that the Legislative Counsel Bureau's (LCB) version of the proposed regulation be adopted. See attached.

SO RECOMMENDED this _____ day of June, 2006.

PAMELA MACKAY
Hearing Officer

ORDER OF THE COMMISSIONER

Having reviewed the record in this matter, it is hereby ordered that the proposed regulation concerning company rate and form filing requirements and filing certain reports with the Commissioner of Insurance, LCB File No. R101-06, be adopted, as presented, as a permanent regulation of the Division.

SO ORDERED this _____ day of June, 2006.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance