

CHAPTER 7

FEES AND TAXES

§601. Fee schedule

The superintendent shall collect, and persons so served shall pay to the superintendent, the fees and miscellaneous charges as set forth in this section. The superintendent may adopt rules establishing the fees and charges in different amounts from those specified under this section, except that the amount of any such fee or charge may not exceed the cap established in this section. In the absence of such rules, the maximum amounts set forth in this section apply. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2003, c. 203, §1 (AMD).]

1. Certificate of authority. Insurer's certificate of authority fees may not exceed:

A. For filing application for initial certificate of authority, including all documents submitted as part of the application. If an applicant requests deferral and new data filings respecting the application are required, a fee in equal amount is required upon the filing of the new information \$1,000. [PL 1991, c. 334, §5 (AMD).]

B. Issuance, and each annual continuation \$100; and [PL 1995, c. 544, §6 (AMD).]

C. Reinstatement, under section 415 \$350; [PL 2003, c. 203, §1 (AMD).]
[PL 2003, c. 203, §1 (AMD).]

2. Charter documents, other than those filed with application for certificate of authority. The fee: for filing by an insurer for a reservation of a name; in addition to any other fee, a late filing of any information required to be filed by a licensee; registration of a branch location; and filing any amendment to certificate of organization, articles or certificate of incorporation, charter, bylaws, power of attorney, as to reciprocal insurers, and other constituent documents of the insurer may not exceed \$25;
[PL 2003, c. 203, §1 (AMD).]

3. Annual statement. Filing annual statement of insurer, payable annually may not exceed \$100;
[PL 2003, c. 203, §1 (AMD).]

4. Process.
[PL 1997, c. 592, §15 (RP).]

5. Producers. Producers' license and appointment fees may not exceed:

A. Issuance fee for original resident producer license, including limited license \$30; [PL 1997, c. 457, §18 (AMD); PL 1997, c. 457, §55 (AFF).]

B. Appointment of resident producer, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$30;

Biennial fee for appointment, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$30; [PL 1997, c. 592, §16 (AMD).]

C. Temporary license issuance fee \$50; [PL 1993, c. 637, §4 (AMD).]

D. [PL 1997, c. 457, §18 (RP); PL 1997, c. 457, §55 (AFF).]

E. Issuance fee for original nonresident producer license or for a nonresident producer acting pursuant to a national nonresident producer license issued through the National Association of Registered Agents and Brokers \$70;

Appointment of such producer, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$70;

Biennial fee for appointment, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$70; [PL 2017, c. 115, §2 (AMD).]

F. Issuance fee for resident agency license, \$30;

Biennial fee, \$30;

Biennial fee for appointment, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group, \$30; and [PL 2011, c. 238, Pt. H, §1 (AMD).]

G. Issuance fee for nonresident agency license, \$70;

Biennial fee, \$70;

Biennial fee for appointment, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group, \$70. [PL 2011, c. 238, Pt. H, §2 (AMD).]

H. [PL 2011, c. 238, Pt. H, §3 (RP).]

[PL 2017, c. 115, §2 (AMD).]

6. Brokers.

[PL 1997, c. 457, §19 (RP); PL 1997, c. 457, §55 (AFF).]

7. Consultants. Consultant license fees may not exceed:

A. Issuance fee for original resident consultant license \$50;

Biennial fee \$50; [PL 1997, c. 592, §17 (AMD).]

B. Issuance fee for original nonresident consultant license \$100;

Biennial fee \$100; [PL 1997, c. 592, §17 (AMD).]

C. Issuance fee for resident consultant agency license \$50;

Biennial fee \$50; and [PL 1997, c. 592, §17 (AMD).]

D. Issuance fee for nonresident consultant agency license \$100;

Biennial fee \$100. [PL 1997, c. 592, §17 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

8. Adjusters. Adjuster license fees may not exceed:

A. Issuance fee for original resident adjuster license \$30;

Biennial fee \$30; [PL 1997, c. 592, §18 (AMD).]

B. Issuance fee for original nonresident adjuster license \$60;

Biennial fee \$60; [PL 1997, c. 592, §18 (AMD).]

C. Temporary license \$50; [PL 1993, c. 637, §8 (AMD).]

D. Issuance fee for resident adjuster agency license \$30;

Biennial fee \$30; and [PL 1997, c. 592, §18 (AMD).]

E. Issuance fee for nonresident adjuster agency license \$60;

Biennial fee \$60. [PL 1997, c. 592, §18 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

9. Examination.

[PL 1993, c. 221, §1 (RP).]

9-A. Application. Application for license fees may not exceed:

A. Application filing fee, other than consultants \$15; and [PL 1993, c. 221, §2 (NEW).]

B. Consultant application filing fee \$25. [PL 1993, c. 221, §2 (NEW).]

[PL 2003, c. 203, §1 (AMD).]

10. Vending machines. Insurance vending machines fees may not exceed:

Issuance fee for license, each machine \$100; and

Biennial continuation of license, each machine \$100.

[PL 2003, c. 203, §1 (AMD).]

11. Rating organizations and advisory organizations. Rating organizations and advisory organizations fees may not exceed:

Original license issuance fee \$200; and

Biennial continuation of license \$200.

[PL 2003, c. 203, §1 (AMD).]

12. Road or tourist service.

[PL 1997, c. 457, §20 (RP).]

13. Copies of certificates. Certified copy of insurer certificate of authority or other license issued under this Title may not exceed \$10.

[PL 2003, c. 203, §1 (AMD).]

14. Copies of other documents. Copies of other documents on file in the bureau: reasonable charge as fixed by the superintendent; and for certifying and fixing official seal may not exceed \$10.

[PL 2003, c. 203, §1 (AMD).]

15.

[PL 1975, c. 767, §15 (RP).]

16. Self-insurance authorization. Fees applicable to each self-insurer, individual or group, seeking authorization or authorized to operate a workers' compensation self-insurance plan, and each self-insurance reinsurance account and each protected cell of a self-insurance reinsurance account, may not exceed:

A. For filing application for initial authorization, including all documents submitted as part of the application, \$1,000; [PL 2009, c. 232, §1 (AMD).]

A-1. For filing application for authority to self-insure under Title 39-A, section 403, subsection 16, including all documents submitted as part of the application, \$500; [PL 2009, c. 232, §1 (AMD).]

B. For authorization and each annual continuation, \$300; and [PL 2009, c. 232, §1 (AMD).]

C. For filing a yearly report of a self-insurer, \$100. [PL 2009, c. 232, §1 (AMD).]

If a self-insurer terminates the plan or otherwise does not continue to self-insure, the fee applicable to filing of yearly reports must apply to that period in which the making of these reports is mandated.
[PL 2009, c. 232, §1 (AMD).]

17. Rules, rates and forms filings. Rate filings, rating rules filings, insurance policy, forms, riders, endorsements and certificate filings may not exceed \$20.
[PL 2003, c. 203, §1 (AMD).]

18. Third-party administrators. Third-party administrators license fees may not exceed:

A. Original issuance fee \$100; and [PL 1993, c. 637, §12 (AMD).]

B. Annual renewal fee \$100. [PL 1993, c. 637, §12 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

19. Purchasing group registrations. Purchasing group registration fees may not exceed:

A. Original issuance fee \$100; and [PL 1993, c. 637, §13 (AMD).]

B. Annual renewal fee \$100. [PL 1993, c. 637, §13 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

20. Preferred provider arrangement administrator. Preferred provider arrangement administrator fees may not exceed:

A. Original registration issuance fee \$100; and [PL 1993, c. 637, §13 (AMD).]

B. Annual renewal fee \$100. [PL 1993, c. 637, §13 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

21. Reinsurance intermediary. Reinsurance intermediary issuance fees and renewal fees may not exceed:

A. Original license issuance fee \$50; and [PL 1993, c. 637, §14 (RPR).]

B. Annual continuation \$50. [PL 1997, c. 457, §21 (AMD).]

[PL 2003, c. 203, §1 (AMD).]

22. Managing general agents. Managing general agents fees may not exceed:

A. Original registration fee \$100; and [PL 1993, c. 221, §4 (NEW).]

B. Annual continuation of registration fee \$100. [PL 1993, c. 221, §4 (NEW).]

[PL 2003, c. 203, §1 (AMD).]

23. Continuing education vendors and courses. Filing fees for continuing education courses and vendors may not exceed:

A. Filing fee for each continuing education vendor \$100; [PL 1993, c. 637, §15 (NEW).]

B. Biennial continuation of approval \$100; and [PL 1993, c. 637, §15 (NEW).]

C. Filing fee for original approval of each continuing education course \$20. [PL 1993, c. 637, §15 (NEW).]

[PL 2003, c. 203, §1 (AMD).]

24. Multiple-employer welfare arrangements. Applications for authorization may not exceed \$500.

[PL 2003, c. 203, §1 (AMD).]

25. Transferees of structured settlement payment rights. Transferees of structured settlement payment rights registration fees may not exceed:

A. Original issuance fee \$100; and [PL 1999, c. 268, §1 (NEW).]

B. Annual renewal fee \$100. [PL 1999, c. 268, §1 (NEW).]
[PL 2003, c. 203, §1 (AMD).]

26. Accredited reinsurers. Application fees for accreditation of reinsurers may not exceed \$500. [PL 2013, c. 238, Pt. B, §1 (AMD).]

26-A. Certified reinsurers. Application fees for certification of reinsurers may not exceed \$1,000. [PL 2013, c. 238, Pt. B, §2 (NEW).]

27. Viatical or life settlement provider. Settlement provider license issuance fees and renewal fees may not exceed:

A. Original license issuance fee \$400; and [PL 2003, c. 636, §1 (NEW).]

B. Annual renewal fee \$400. [RR 2003, c. 2, §85 (COR).]
[RR 2003, c. 2, §85 (COR).]

28. Pharmacy benefits manager.
[PL 2019, c. 469, §3 (RP); PL 2019, c. 469, §9 (AFF).]

28-A. Pharmacy benefits manager. Pharmacy benefits manager licensing fees may not exceed:

A. Original issuance fee, \$100; and [PL 2019, c. 469, §4 (NEW); PL 2019, c. 469, §9 (AFF).]

B. Renewal fee, \$100. [PL 2019, c. 469, §4 (NEW); PL 2019, c. 469, §9 (AFF).]
[PL 2019, c. 469, §4 (NEW); PL 2019, c. 469, §9 (AFF).]

29. Portable electronic device insurance vendor. Portable electronic device insurance vendor licensing fees may not exceed:

A. Original license issuance fee, \$1,000; and [PL 2011, c. 297, §1 (NEW).]

B. Annual renewal fee, \$500. [PL 2011, c. 297, §1 (NEW).]
[PL 2011, c. 297, §1 (NEW).]

REVISOR'S NOTE: (Subsection 29 as enacted by PL 2011, c. 345, §3 and affected by §7 is REALLOCATED TO TITLE 24-A, SECTION 601, SUBSECTION 30)

30. (REALLOCATED FROM T. 24-A, §601, sub-§29) Service contract providers and administrators. Service contract provider or administrator annual registration fees may not exceed \$200. [RR 2011, c. 1, §37 (RAL).]

31. Supervising travel insurance producer. Supervising travel insurance producer licensing fees may not exceed:

A. Original license issuance fee, \$500; and [PL 2015, c. 133, §1 (NEW).]

B. Annual renewal fee, \$300. [PL 2015, c. 133, §1 (NEW).]
[PL 2015, c. 133, §1 (NEW).]

32. Surplus lines. Surplus lines authority fees may not exceed:

A. Issuance fee for surplus lines authority, \$150. [PL 2019, c. 382, §1 (NEW).]
[PL 2019, c. 382, §1 (NEW).]

33. Self-storage insurance provider. Self-storage insurance provider fees may not exceed:

A. Issuance of license for self-storage insurance provider, \$100; and [PL 2021, c. 218, §1 (NEW).]

B. Annual renewal fee, \$50. [PL 2021, c. 218, §1 (NEW).]
[PL 2021, c. 218, §1 (NEW).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1971, c. 435, §1 (AMD). PL 1973, c. 150, §1 (AMD). PL 1973, c. 585, §12 (AMD). PL 1973, c. 726, §§1-6 (AMD). PL 1975, c. 767, §§12-15 (AMD). PL 1977, c. 222, §2 (AMD). PL 1979, c. 658, §1 (AMD). PL 1981, c. 225, §§1-4 (AMD). PL 1981, c. 501, §41 (AMD). PL 1989, c. 435, §1 (AMD). PL 1989, c. 846, §§D1,E4 (AMD). PL 1991, c. 334, §5 (AMD). PL 1991, c. 828, §15 (AMD). PL 1993, c. 153, §§1-8 (AMD). PL 1993, c. 221, §§1-4 (AMD). PL 1993, c. 637, §§4-15 (AMD). PL 1995, c. 544, §6 (AMD). PL 1995, c. 594, §1 (AMD). PL 1995, c. 618, §1 (AMD). PL 1997, c. 457, §§17-21 (AMD). PL 1997, c. 457, §55 (AFF). PL 1997, c. 592, §§14-18 (AMD). PL 1999, c. 268, §1 (AMD). PL 1999, c. 609, §1 (AMD). PL 2001, c. 47, §1 (AMD). RR 2003, c. 1, §20 (COR). RR 2003, c. 2, §85 (COR). PL 2003, c. 203, §1 (AMD). PL 2003, c. 636, §1 (AMD). PL 2009, c. 232, §1 (AMD). PL 2009, c. 581, §3 (AMD). RR 2011, c. 1, §37 (COR). PL 2011, c. 238, Pt. H, §§1-3 (AMD). PL 2011, c. 297, §1 (AMD). PL 2011, c. 345, §3 (AMD). PL 2011, c. 345, §7 (AFF). PL 2013, c. 238, Pt. B, §§1, 2 (AMD). PL 2015, c. 133, §1 (AMD). PL 2017, c. 115, §2 (AMD). PL 2019, c. 382, §1 (AMD). PL 2019, c. 469, §§3, 4 (AMD). PL 2019, c. 469, §9 (AFF). PL 2021, c. 218, §1 (AMD).

§602. Tax on premiums and annuity considerations

As to returns and taxes on premiums and annuity considerations refer to Title 36, chapter 357. [PL 1989, c. 502, Pt. A, §92 (AMD).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1989, c. 502, §A92 (AMD).

§603. Record, remittance of fees

The superintendent shall keep a correct account of all fees and moneys received by the superintendent by virtue of the superintendent's office, and shall pay the same over to the Treasurer of State forthwith. [RR 2021, c. 1, Pt. B, §186 (COR).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1973, c. 585, §12 (AMD). RR 2021, c. 1, Pt. B, §186 (COR).

§604. Insurance Regulatory Fund

1. There is created in the State Treasury a dedicated account to be designated the "Insurance Regulatory Fund," the funds of which are hereby appropriated for the partial support and maintenance of the Insurance Bureau.

[PL 1973, c. 585, §12 (AMD).]

2. The Treasurer of State shall credit the following funds to the Insurance Regulatory Fund:

A. The balance, if any, remaining on January 1, 1970 of funds allocated to the bureau pursuant to Title 24, section 372; [PL 1973, c. 625, §136 (AMD).]

B. Fees, licenses and other charges collected and remitted by the superintendent under section 601 (fee schedule), or as increased pursuant to section 428 (retaliatory provision); [PL 1985, c. 446, §3 (AMD).]

C. [PL 1997, c. 457, §22 (RP).]

D. Amounts assessed by the superintendent under Title 24, section 2332; [PL 1985, c. 446, §3 (AMD).]

E. Amounts assessed by the superintendent under section 237; [PL 1985, c. 446, §3 (NEW).]

F. Amounts assessed by the superintendent under Title 39-A, section 409; and [PL 1991, c. 885, Pt. E, §24 (AMD); PL 1991, c. 885, Pt. E, §47 (AFF).]

G. Such other amounts as may be expressly required by law to be so credited. [PL 1985, c. 446, §3 (NEW).]
[PL 2001, c. 559, §1 (AMD); PL 2001, c. 559, §2 (AFF).]

3. Expenditures by the bureau from the Insurance Regulatory Fund shall be subject to budget control in the same manner as applies to departments of State in general.
[PL 1973, c. 585, §12 (AMD).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1969, c. 177, §§12,13 (AMD). PL 1973, c. 585, §12 (AMD). PL 1973, c. 625, §136 (AMD). PL 1985, c. 446, §3 (AMD). PL 1991, c. 885, §E24 (AMD). PL 1991, c. 885, §E47 (AFF). PL 1997, c. 457, §22 (AMD). PL 2001, c. 559, §Z1 (AMD). PL 2001, c. 559, §Z2 (AFF).

§605. In lieu, pre-emption provision

1. Payment by the insurer of the taxes as required by Title 25, section 2399 and Title 36, chapter 357 is in lieu of all taxes imposed by the State upon the insurer, or any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1), upon premiums or upon income, and of any franchise, privilege or other taxes measured by income of the insurer or the subsidiary.
[PL 1993, c. 502, §1 (AMD); PL 1993, c. 502, §5 (AFF).]

2. The State preempts the field of regulating, or of imposing excise, privilege, franchise, income, license, permit, registration and similar taxes, licenses and fees upon, insurers, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1), their general agents, agents and other representatives as such; and on the intangible property of insurers, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1) or such representatives; and all political subdivisions or agencies in this State are prohibited from regulating insurers, any subsidiary referred to in section 1157, subsection 5, paragraph B, subparagraph (1) or their general agents, agents and other representatives as such, and from imposing upon them any such tax, license or fee. This provision does not prohibit the imposition by political subdivisions of taxes upon real and tangible personal property.
[PL 1993, c. 502, §2 (AMD); PL 1993, c. 502, §5 (AFF).]

3. This section shall not be modified or repealed by any law of general application hereafter enacted, unless expressly referred to or expressly repealed therein.
[PL 1969, c. 132, §1 (NEW).]

SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1969, c. 177, §14 (AMD). PL 1989, c. 502, §A93 (AMD). PL 1993, c. 502, §§1,2 (AMD). PL 1993, c. 502, §5 (AFF).

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