

**§413. Application for certificate of authority**

To apply for an original certificate of authority an insurer shall file with the superintendent its written application therefor on forms as prescribed and furnished by the superintendent, accompanied by the applicable fees specified in section 601 (fee schedule), stating under the oath of the president or vice-president or other chief officer and the secretary of the insurer, or of the attorney-in-fact, if a reciprocal insurer, the insurer's name, location of its home office or principal office in the United States, if an alien insurer, the kinds of insurance to be transacted, date of organization or incorporation, form of organization, state or country of domicile, and such additional information as the superintendent may reasonably require, together with the following documents, as applicable: [PL 1969, c. 132, §1 (NEW); PL 1973, c. 585, §12 (AMD).]

1. If a corporation, or a Lloyd's, a copy of its charter, together with all amendments thereto, or as restated and amended under the laws of its state or country of domicile, currently certified by the public official with whom the originals are on file in such state or country; [PL 1969, c. 177, §9 (AMD).]

2. If a domestic incorporated insurer or a mutual insurer, a copy of its bylaws, certified by the insurer's corporate secretary; [PL 1969, c. 132, §1 (NEW).]

3. If a reciprocal insurer, a copy of the power of attorney of its attorney-in-fact, certified by the attorney-in-fact; and if a domestic reciprocal insurer, the declaration provided for in section 3856; [PL 1969, c. 132, §1 (NEW).]

4. A complete copy of its financial statement as of not earlier than the December 31st next preceding in form as customarily used in the United States by like insurers, sworn to by at least 2 executive officers of the insurer or certified by the public insurance supervisory official of the insurer's state of domicile, or of entry into the United States, if an alien insurer; [PL 1969, c. 132, §1 (NEW).]

5. [PL 1985, c. 330, §3 (RP).]

5-A. A copy of a current report of examination of the insurer certified by the public insurance supervisory official of the insurer's state of domicile, or of entry into the United States, if an alien insurer. For purposes of this requirement, a report of examination is deemed "current" only if its date of account is within 36 months of filing of the application, except that the superintendent may, in the superintendent's discretion, accept a report of examination within a period reasonably proximate to 36 months from its date of account that is filed by the applicant promptly upon its receipt when issuance of the report by the domiciliary regulator has been delayed for reasons beyond the control of the applicant and that are unrelated to the applicant's financial condition or its compliance with applicable laws; [PL 1995, c. 570, §1 (AMD).]

6. Appointment of an agent pursuant to section 421 to receive service of legal process; [PL 1997, c. 592, §10 (AMD).]

7. If a foreign or alien insurer, a certificate of the public insurance supervisory official of its state or country of domicile showing that it is authorized or qualified for authority to transact in such state or country the kinds of insurance proposed to be transacted in this State; [PL 1969, c. 132, §1 (NEW).]

8. If an alien insurer, certificate as to deposit, if to be tendered pursuant to section 412, and a copy of the trust deed pertaining to such deposit, certified by the trustee; [PL 1969, c. 132, §1 (NEW).]

**9.** If a life or health insurer, a copy of the insurer's rate book and of each form of policy currently proposed to be issued in this State, and of the form of application therefor; or  
[PL 1993, c. 637, §1 (AMD).]

**10.** If an alien insurer, a copy of the appointment and authority of its United States manager, certified by its officer having custody of its records.  
[PL 1993, c. 637, §1 (AMD).]

**11.**  
[PL 1993, c. 637, §2 (RP).]

**12.**  
[PL 1993, c. 637, §2 (RP).]

#### SECTION HISTORY

PL 1969, c. 132, §1 (NEW). PL 1969, c. 177, §9 (AMD). PL 1973, c. 585, §12 (AMD). PL 1985, c. 330, §§3,4 (AMD). PL 1993, c. 637, §§1,2 (AMD). PL 1995, c. 570, §1 (AMD). PL 1997, c. 592, §10 (AMD).

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