

§6707. Financial statements and other reports

1. Financial statement. A captive insurance company shall submit an annual statement of financial condition audited by an independent certified public accountant to the superintendent on or before the last day of the 6th month following the end of the company's fiscal year.

A. The audited financial statement of an association captive insurance company or industrial insured captive insurance company must be prepared in conformity with statutory accounting principles. [PL 2017, c. 169, Pt. G, §8 (NEW).]

B. The audited financial statement of a captive insurance company other than those set out in paragraph A must be prepared in conformity with either generally accepted accounting principles or statutory accounting principles, at the election of the company. [PL 2017, c. 169, Pt. G, §8 (NEW).]

[PL 2017, c. 169, Pt. G, §8 (AMD).]

2. Annual and quarterly statements. An association captive insurance company or industrial insured captive insurance company shall file annual and quarterly statements in accordance with statutory accounting principles, each of which must be a true statement of its financial condition, transactions and affairs, substantially similar to the statements required under sections 423 and 423-A for insurance companies certified under section 414, in general form and context as approved by the National Association of Insurance Commissioners, or other format prescribed by the superintendent, verified by oaths of at least 2 of the insurer's principal officers.

[PL 2017, c. 169, Pt. G, §8 (AMD).]

3. Reserves. The statements required under subsections 1 and 2 must include, but are not limited to, actuarially appropriate reserves for:

A. Known claims and associated expenses; [PL 1997, c. 435, §1 (NEW).]

B. Claims incurred but not reported and associated expenses; [PL 1997, c. 435, §1 (NEW).]

C. Unearned premiums; and [PL 1997, c. 435, §1 (NEW).]

D. Bad debts, reserves for which must be shown as liabilities. [PL 1997, c. 435, §1 (NEW).]

An actuarial opinion regarding reserves for known claims and claims incurred but not reported, and expenses associated with those claims, must be included in the audited statements. The actuarial opinion must be given by a member of the American Academy of Actuaries or other qualified loss reserve specialist as defined in the annual statement instructions adopted by the National Association of Insurance Commissioners.

[PL 2017, c. 169, Pt. G, §8 (AMD).]

4. Other reports. The superintendent may prescribe the format and frequency of other reports, which may include, but are not limited to, summary loss reports, material transaction reports and interim financial statements.

[PL 2017, c. 169, Pt. G, §8 (AMD).]

SECTION HISTORY

PL 1997, c. 435, §1 (NEW). PL 1997, c. 583, §4 (AMD). PL 2017, c. 169, Pt. G, §8 (AMD).

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