

## **Statutory and Regulatory Provisions Governing Statistical Filing Requirements**

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## States Requiring Statistics to be Filed with an Advisory or Rating Organization or the Insurance Commissioner

In these states, insurers either must file their statistics with the advisory or rating organization of which they are a member, the insurance commissioner or the insurance commissioner's designated statistical agent. SFAA has been designated by all state insurance departments except Texas as a statistical agent for the reporting of fidelity and surety experience.

<b>Jurisdiction</b>	<b>Requirement</b>	<b>Citation(s)</b>
<b>Alabama</b>	Insurers must file a statistical report with the rating organization of which it is a member or subscriber or other common agency representing insurers.	AL ST §27-13-66
<b>California</b>	Insurers must report the data collected by a licensed advisory organization to the Insurance Commissioner. Insurers in operation for less than three years or with a market share that is less than 1% for the data to be reported are exempt.	CA Insurance Code §1857.9
<b>Colorado</b>	Property and casualty insurers must report their insurance statistical experience to a statistical agent that the Commissioner of Insurance (Commissioner) has authorized or directly to the Commissioner as a condition of doing business in the State.	C.R.S. §10-4-404; 3 CCR Div. of Ins., §5-1-9
<b>Connecticut</b>	Insurers must maintain records of their experience and other statistical data used for rates to be available to the Insurance Commissioner. Maintaining such records at the office of a licensed rating or advisory organization of which it is a member or subscriber will be sufficient to comply with this requirement.	C.G.S.A. §38a-675
<b>Delaware</b>	Insurers must report their loss or expense experience to the lawful rating organization of which it is a member or subscriber. If the data is not reported to a rating organization, it may have to be filed with the Insurance Commissioner.	18 Del.C. §2525
<b>Georgia</b>	Insurers must maintain statistics under statistical plans for the rating plans that they use and must report its statistics through a recognized statistical agency or advisory organization.	Georgia Code §33-9-20
<b>Maine</b>	Insurers shall report their loss or expense experience to the lawful rating organization, advisory organization or agency of which it is a member or subscriber. Any insurer not reporting its data to such an organization or agency may be required to report it to the Superintendent of the Bureau of Insurance.	24-A M.R.S.A. §2323
<b>Nebraska</b>	Insurers licensed to transact property and casualty insurance in the State shall report its insurance statistical experience to at least one of the statistical agents that the Director of Insurance has designated for data collection.	210 Nebraska Administrative Code §52-007
<b>Nevada</b>	Insurers licensed to transact property and casualty insurance in the State shall report its statistical experience to at least one of the statistical agents that the Insurance Commissioner has designated for the collection of such information.	Nevada Revised Statutes §686B.160; Nevada Administrative Code §§686B.361 and 686B.365
<b>New Hampshire</b>	Every insurance company licensed in the State must report its insurance statistical experience to a statistical agent that the Insurance Commissioner has designated for the collection of such data.	N.H. Revised Statutes §§400-A:36 and 412:43; NH ADC Ins §801.06

<b>New York</b>	All authorized insurers must file a report of their statistical information with the rate service organization of which it is a member or subscriber or other such agency that the Superintendent of Insurance has approved.	New York State Laws Chapter 28, Article 23 §2315
<b>North Carolina</b>	The Insurance Commissioner (Commissioner) shall adopt statistical plans for insurers to use to record and report loss and countrywide experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data. All insurers must report their data to one of the designated statistical organizations.	North Carolina General Statutes Annotated §58-36-4
<b>Oregon</b>	Insurers must maintain records of their experience and other statistical data used for rates to be available to the Director of the Department of Business and Consumer Services. Maintaining such records at the office of a licensed rating or advisory organization of which it is a member or subscriber will be sufficient to comply with this requirement.	Oregon Revised Statutes §737.225
<b>Puerto Rico</b>	All authorized insurers must file a statistical report with the rating organization of which it is a member or other agency that the Insurance Commissioner has approved.	26 LRPA §1215
<b>South Carolina</b>	Insurers are required to record and report loss and expense experience and any other data required to determine whether rates are excessive, inadequate or unfairly discriminatory. The Director may designate one or more statistical agents, organizations, or advisory organizations to collect and compile the necessary data.	South Carolina Code §§38-13-300 and 69-45
<b>Texas</b>	Insurers must report loss and premium data to the Insurance Commissioner (Commissioner) or the designated statistical agent. Such agents must collect and report the data according to the Commissioner's adopted statistical plan.	Texas Insurance Code §§38.204, 38.205 and 2252.101
<b>Vermont</b>	Every insurance company licensed to transact property casualty insurance in the State must report its insurance statistical experience to at least one of the statistical agents that the Insurance Commissioner has designated for the collection of such data.	8 V.S.A. §4691 and Vermont Admin. Code §4-3-12:5
<b>Washington</b>	As a condition of doing business in the State, insurers are required to report their loss and expense experience to a statistical agent that the Insurance Commissioner (Commissioner) has designated for collecting such data. The data must be reported in accordance with the agent's statistical plan on file with the Commissioner.	RCW §48.19.370 and WAC §284-24B-040

### **States Requiring Statistics to be Filed with the Insurance Commissioner or a Designated Statistical Agent**

In these states, the insurance commissioner is required to adopt a statistical plan that insurers must use to report their statistical data. The law permits the insurance commissioner to designate a statistical agent to assist him or her in gathering the necessary data for the plan. SFAA has been designated by all state insurance departments except Texas as a statistical agent for the reporting of fidelity and surety experience.

<b>Jurisdiction</b>	<b>Requirement</b>	<b>Citation(s)</b>
<b>Alaska</b>	The Director of Insurance (Director) must adopt a statistical plan that insurers must use for recording and reporting their statistical data. The Director may designate a rating organization(s) or other agencies to assist in gathering the data to be reported.	AK ST §21.39.130

<b>Arizona</b>	Insurers must report their statistical data to the Director of Insurance (Director), who may designate a rate service organization or advisory organization to assist in gathering the data to be reported.	AZ ST §20-235
<b>Arkansas</b>	The Insurance Commissioner may require insurers to record and report rates and other information deemed necessary. One or more advisory organizations may be designated by the Insurance Commissioner to assist in gathering the information required.	AR ST 23-67-218
<b>D.C.</b>	The Insurance Commissioner may designate one or more rating organizations to gather statistical data that is necessary for administering the law.	D.C. Code §31-2708
<b>Florida</b>	The Financial Services Commission may promulgate statistical plans for insurers to use to record and report loss, expense and claims experience for the annual reporting of such data. The Office of Insurance Regulation may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	F.S.A. §627.331
<b>Hawaii</b>	The Insurance Commissioner (Commissioner) may promulgate statistical plans for insurers to use to record and report loss and countrywide experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	HRS §431:14-114
<b>Idaho</b>	The Director of the Insurance Department (Director) shall promulgate statistical plans for insurers to use to record and report loss and countrywide experience for the annual reporting of such data. The Director may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Idaho Code §41-1428
<b>Indiana</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans for insurers to use to record and report loss and countrywide expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Indiana Code §27-1-22-16
<b>Iowa</b>	The Insurance Commissioner (Commissioner) may adopt statistical plans for insurers to use to record and report loss and countrywide expense experience for the annual reporting of such data. The Commissioner may designate one or more advisory organizations or other agencies to assist in gathering and compiling the data.	Iowa Code §515F.15
<b>Kansas</b>	The Insurance Commissioner (Commissioner) shall develop statistical plans for insurers to use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	K.S.A. §40-961
<b>Louisiana</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and countrywide expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Louisiana Revised Statutes §22:1473
<b>Maryland</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Maryland Code §11-226
<b>Massachusetts</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss	Massachusetts General Laws

	and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Annotated 175A §15
<b>Michigan</b>	The law provides that the Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data. The regulations provide that the Commissioner may issue guidelines for the collection and reporting of data. However, the Commissioner issued a bulletin providing that after reviewing the law and regulations, the Commissioner determined that, except for workers' compensation insurance, insurers are not required to report statistical data to the Commissioner or to any rating organization.	Michigan Compiled Laws §500.2472; Michigan Administrative Code R 500.1204; Michigan Insurance Bulletin No. 94-04
<b>Minnesota</b>	The Commissioner of Commerce (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Minnesota Statutes §70A.17
<b>Missouri</b>	The Director of Finance (Director) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Director may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	MO ST §379.351
<b>Montana</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	Montana Code Annotated §33-16-202
<b>New Jersey</b>	Insurers must report statistical information to the Commissioner of Insurance as he or she prescribes.	New Jersey Statutes §17:23-17
<b>New Mexico</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	New Mexico Statutes §59A-17-28; N.M.A.C. §13.8.2.24
<b>North Dakota</b>	The Insurance Commissioner (Commissioner) shall adopt statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more advisory organizations or other agencies to assist in gathering and compiling the data.	North Dakota Century Code §26.1-25-13
<b>Ohio</b>	The Superintendent of Insurance (Superintendent) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Superintendent may designate one or more rating bureaus or other agencies to assist in gathering and compiling the data.	Ohio Revised Code §3935.10
<b>Oklahoma</b>	All insurers doing business in the State must file a statistical plan with the Oklahoma Insurance Department. Insurers may appoint a registered advisory organization as its agent to report and file its statistical plan and experience.	Oklahoma Statutes §36-1145; Oklahoma Admin. Code §365:15-7-16
<b>Pennsylvania</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	40 Pennsylvania Statutes §1193

<b>Rhode Island</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	RI ST §§27-9-38 and 27-44-13
<b>South Dakota</b>	The Director of the Division of Insurance (Division) shall promulgate statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Director may designate one or more rating organizations or other agencies to assist in gathering and compiling the data.	South Dakota Codified Laws §58-24-31
<b>Tennessee</b>	Insurers must file statistical plans for recording and reporting loss and expense experience. The Insurance Commissioner may designate one or more rate service or advisory organizations to assist him or her in the gathering and compilation of such data.	Tennessee Code §56-5-312
<b>Utah</b>	The Insurance Commissioner (Commissioner) may adopt rules for the development of statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rate service organizations to assist in gathering and compiling the data.	Utah Code §31A-19a-309
<b>Virginia</b>	The State Corporation Commission (Commission) may promulgate rules for the development of statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rate service organizations to assist in gathering and compiling the data. Such organizations are required to gather the experience data of its members for insurance.	Code of Virginia §38.2-1919
<b>West Virginia</b>	The Insurance Commissioner (Commissioner) shall promulgate statistical plans, which insurers shall use to record and report loss and countrywide expense experience for the annual reporting of such data. The Commissioner may designate one or more rating organizations to assist in gathering and compiling the data.	West Virginia Code §33-20-13
<b>Wisconsin</b>	The Insurance Commissioner (Commissioner) shall promulgate rules for statistical plans, which insurers shall use to record and report loss and expense experience for the annual reporting of such data. The Commissioner may designate one or more rate service organizations to assist in gathering and compiling the data.	W.S.A. §625.34
<b>Wyoming</b>	Insurers must file plans with the Insurance Commissioner for the recording and reporting of loss and expense experience. The Commissioner may designate one or more advisory organizations to assist in gathering and compiling the data.	Wyoming Statutes §26-14-110

### States without a Filing Requirement

<b>Jurisdiction</b>	<b>Details</b>	<b>Citation</b>
<b>Illinois</b>	There is no rating law in this state.	N/A
<b>Kentucky</b>	The statistical filing law (formerly KRS §304.612) was repealed. Statistical agents and advisory organizations may collect and report loss data on behalf of their members and subscribers.	K.R.S. §§304.13-121 and 304.13-163
<b>Mississippi</b>	The statistical filing law was repealed.	Formerly § 83-3-27