

AN ACT
RELATING TO INSURANCE; CHANGING FEES AND METHOD OF
DETERMINING FEES FOR CERTAIN INSURANCE COMPANIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 59A-6-1 NMSA 1978 (being Laws 1984, Chapter 127, Section 101, as amended by Laws 1999, Chapter 272, Section 2 and also by Laws 1999, Chapter 289, Section 2) is amended to read:

"59A-6-1. FEE SCHEDULE. -- The superintendent shall collect and receipt for, and persons so served shall pay to the superintendent, fees, licenses and miscellaneous charges as follows:

- A. insurer's certificate of authority -
 - (1) filing application for certificate of authority, and issuance of certificate of authority, if issued, including filing of all charter documents, financial statements, service of process, power of attorney, examination reports and other documents included with and part of the application \$1,000.00
 - (2) annual continuation of certificate of authority, per kind of insurance, each year continued .200.00
 - (3) reinstatement of certificate of authority (Section 59A-5-23 NMSA 1978) 150.00
 - (4) amendment to certificate of authority

.....	200.00
B. charter documents - filing amendment to any charter document (as defined in Section 59A-5-3 NMSA 1978)	10.00
C. annual statement of insurer, filing ..	200.00
D. service of process, acceptance by superintendent and issuance of certificate of service, where issued	10.00
E. agents' licenses and appointments -	
(1) filing application for original agent license and issuance of license, if issued	30.00
(2) appointment of agent -	
(a) filing appointment, per kind of insurance, each insurer	20.00
(b) continuation of appointment, each insurer, each year continued	20.00
(3) variable annuity agent's license -	
(a) filing application for license and issuance of license, if issued	30.00
(b) continuation of appointment each year	20.00
(4) temporary license as to life and health insurance or both	30.00
(a) as to property insurance ..	30.00
(b) as to casualty/surety insurance	
.....	30.00

(c)	as to vehicle insurance . . .	30.00
F.	solicitor license -	
(1)	filing application for original license and issuance of license, if issued	30.00
(2)	continuation of appointment, per kind of insurance, each year	20.00
G.	broker license -	
(1)	filing application for license and issuance of original license, if issued	30.00
(2)	annual continuation of license . . .	30.00
H.	insurance vending machine license -	
(1)	filing application for original license and issuance of license, if issued, each machine . . .	25.00
(2)	annual continuation of license, each machine	25.00
I.	examination for license, application for examination conducted directly by superintendent, each grouping of kinds of insurance to be covered by the examination as provided by the superintendent's rules and regulations, and payable as to each instance of examination	50.00
J.	surplus line insurer - filing application for qualification as eligible surplus lines insurer . . .	1,000.00
K.	surplus line broker license -	
(1)	filing application for original license and issuance of license, if issued	100.00

(2) annual continuation of license . . .	100.00
L. adjuster license -	
(1) filing application for original license and issuance of license, if issued	30.00
(2) annual continuation of license . . .	30.00
M rating organization or rating advisory organization license -	
(1) filing application for license and issuance of license, if issued	100.00
(2) annual continuation of license . . .	100.00
N. nonprofit health care plans -	
(1) filing application for preliminary permit and issuance of permit, if issued	100.00
(2) certificate of authority, application, issuance, continuation, reinstatement, charter documents - same as for insurers	
(3) annual statement, filing	200.00
(4) agents and solicitors -	
(a) filing application for original license and issuance of license, if issued	30.00
(b) examination for license conducted directly by superintendent, each instance of examination50.00
(c) annual continuation of appointment20.00
O. prepaid dental plans -	

- (1) certificate of authority, application, issuance, continuation, reinstatement, charter documents - same as for insurers
- (2) annual report, filing 200.00
- (3) agents and solicitors -
 - (a) filing application for original license and issuance of license, if issued 30.00
 - (b) examination for license conducted directly by superintendent, each instance of examination 50.00
 - (c) continuation of license, each year 20.00

P. prearranged funeral insurance - application for certificate of authority, issuance, continuation, reinstatement, charter documents, filing annual statement, licensing of sales representatives - same as for insurers

Q. premium finance companies -

- (1) filing application for original license and issuance of license, if issued 100.00
- (2) annual renewal of license 100.00

R. motor clubs -

- (1) certificate of authority -
 - (a) filing application for original certificate of authority and issuance of certificate of authority, if issued 200.00
 - (b) annual continuation of certificate

of authority 100.00

(2) sales representatives -

(a) filing application for registration or license and issuance of registration or license, if issued, each representative
. 20.00

(b) annual continuation of registration or license, each representative
. 20.00

S. bail bondsmen -

(1) filing application for original license as bail bondsman or solicitor, and issuance of license, if issued 30.00

(2) examination for license conducted directly by superintendent, each instance of examination 50.00

(3) continuation of appointment, each year 20.00

T. securities salesperson license -

(1) filing application for license and issuance of license, if issued 25.00

(2) renewal of license, each year 25.00

U. for each signature and seal of the superintendent affixed to any instrument 10.00

V. required filing of forms or rates - by all lines of business other than property or casualty

(1) rates 50.00

(2) major form - each new policy and each package submission which can include multiple policy forms, application forms, rider forms, endorsement forms or amendment forms 30.00

(3) incidental forms and rates - forms filed for informational purposes; riders, applications, endorsements and amendments filed individually; rate service organization reference filings; rates filed for informational purposes 15.00

W. health maintenance organizations -

(1) filing an application for a certificate of authority 1,000.00

(2) annual continuation of certificate of authority, each year continued 200.00

(3) filing each annual report 200.00

(4) filing an amendment to organizational documents requiring approval 200.00

(5) filing informational amendments 50.00

(6) agents and solicitors -

(a) filing application for original license and issuance of license, if issued 30.00

(b) examination for license, each instance of examination 50.00

(c) annual continuation of appointment

. 20.00

X. purchasing groups and foreign risk retention groups -

(1) original registration 500.00

(2) annual continuation of registration 200.00

(3) agent or broker fees same as for authorized insurers.

Notwithstanding the fees required in this subsection, an insurer shall be subject to additional fees or charges, termed retaliatory or reciprocal requirements, or both, whenever any form or rate-filing fees in excess of those imposed by the laws of this state are charged to insurers in New Mexico doing business in another state or whenever any condition precedent to the right to issue policies in another state is imposed by the laws of that state over and above the conditions imposed upon insurers by the laws of New Mexico; in those cases, the same form or rate-filing fees shall be imposed upon every insurer from every other state transacting or applying to transact business in New Mexico so long as the higher fees remain in force in the other state. If an insurer fails to comply with the additional retaliatory or reciprocal requirement charges imposed under this subsection, the superintendent shall refuse to grant or shall withdraw approval of the tendered form or rate filing.

Except as to certain appointment fees as specified in Section 59A-11-8 NMSA 1978, all fees are deemed earned when paid and are not refundable."

Section 2. A new Section 59A-6-1.2 NMSA 1978 is enacted to read:

"59A-6-1.2. PROPERTY AND CASUALTY ANNUAL RATES AND FORMS FILING FEES.--The annual filing fee for rates and forms due in advance on July 1 for each company in the following groupings shall be equal to the product produced by multiplying three thousandths by the company's previous calendar year's direct written premium as shown on its annual financial statement, but not to exceed an amount of one thousand five hundred dollars (\$1,500) and not to be less than an amount of one hundred dollars (\$100):

- A. private passenger automobile - liability and physical damage;
 - B. homeowner's and farm owners';
 - C. workers' compensation;
 - D. other casualty, including surety and fidelity;
- and
- E. other property."

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2001. _____