



Texas Department of Insurance

Financial Regulation Division - Company Licensing and Registration, Mail Code 305-2C
333 Guadalupe • P.O. Box 149104, Austin, Texas 78714-9104
512-322-3507 telephone • 512-490-1035 fax • www.tdi.texas.gov

Memorandum

To: **SURPLUS LINES AGENTS AND INSURERS**

From: Tara Mitchell, Registrations Officer
Company Licensing and Registration

Date: January 1, 2013

Subject: Evidence Filing Requirements for 2013 Surplus Lines Eligibility

The following are the requirements and due dates for filing documentation for 2013 eligibility for surplus lines insurers. Each insurer wanting to maintain eligibility or to become eligible must meet the listed filing requirements.

These filing requirements are in accordance with the Texas Insurance Code, Chapter 981 and related provisions of the Texas Administrative Code, 28 TAC §15.8. Texas Administrative Code, 28 TAC §15.8 (j) requires the Texas Department of Insurance to maintain the "Surplus Lines Insurers List" compiled from the information submitted to meet the eligibility requirements. *Any new information or updates to previously filed documentation must be submitted to the Texas Department of Insurance, with a copy to the Surplus Lines Stamping Office of Texas, in a timely manner. This includes name changes, home office changes, mailing address changes, etc. All questions and/or comments pertaining to the Surplus Lines Insurers List are to be directed to the Texas Department of Insurance.*

The minimum capital and surplus requirement is \$15 million as of December 31, 1995. Failure to maintain at least \$15 million capital and surplus may result in the removal of the insurer from the Texas Department of Insurance "Surplus Lines Insurers List." Failure to comply with the evidence filing requirements may also subject the insurer to removal from the list. The minimum capital and surplus requirement for alien surplus lines insurers that appear on the NAIC's IID list has been increased to \$30 million as of January 1, 2013. Failure to comply with the evidence filing requirements may also subject the insurer to removal from the list.

Inquiries about the contents of this memo should be directed to Company Licensing and Registration, Texas Department of Insurance, Registrationteam@tdi.texas.gov.

The appropriate checklist must be completed and filed with the required documents. Checklists for both foreign (U.S. domiciled) [FIN422 \(U.S.\)](#) and alien (non-U.S. domiciled) [FIN423 \(non-U.S.\)](#) companies can be found on our website.

Documents required to be filed directly with the department and stamping office must be submitted in duplicate as follows, preferably by e-mail:

Texas Department of Insurance
Company Licensing & Registration, MC 305-2C
333 Guadalupe
Austin, TX 78701
512-322-3535, FAX 512-490-1035
registrationteam@tdi.texas.gov

Surplus Lines Stamping Office of Texas
805 Las Cimas Parkway, Suite 150
Austin, TX 78746-5493
512-346-3274 ext 220, FAX 512-346-3422
evidence@slsot.org

Note: Documents filed solely with the Stamping Office are not deemed to be filed with the Texas Department of Insurance. All evidence submitted must have the complete name of the surplus lines insurer clearly displayed.

Financial statements filed with the NAIC in a timely manner, do not need to be submitted to the department or stamping office and are considered filed with both.

Due Date

The due date for filing documents varies based on the type of evidence required. A due date is indicated for each type of evidence.

If an insurer is unable to comply with the due dates, a written explanation must be filed with the Texas Department of Insurance (with a copy to the Surplus Lines Stamping Office of Texas) using the Comments Section of the proper Checklist. The explanation must include date the evidence will be filed. ***Failure to make timely filings may result in the suspension or revocation of the insurer's eligibility.***