

SECOND REGULAR SESSION

SENATE BILL NO. 962

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WIELAND.

Read 1st time January 25, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6144S.011

AN ACT

To repeal sections 354.150, 354.495, 374.115, 374.150, and 374.230, RSMo, and to enact in lieu thereof four new sections relating to payments made by insurance companies, with a delayed effective date.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 354.150, 354.495, 374.115, 374.150, and 374.230, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 354.150, 354.495, 374.150, and 374.230, to read as follows:

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay [the following fees] to the director [for the administration and enforcement of the provisions of this chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars]

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 **the fees specified in section 374.230.**

19 2. Fees mandated in subdivision (1) of [subsection 1 of this] section
20 **374.230** shall be waived if a majority shareholder, officer, or director of the
21 organizing corporation is a member of the Missouri National Guard or any other
22 active duty military, resides in the state of Missouri, and provides proof of such
23 service to the secretary of state.

354.495. Every health maintenance organization subject to sections
2 354.400 to 354.636 shall pay to the director the [following fees:

3 (1) For filing the declaration required on organization of each domestic
4 company, two hundred fifty dollars;

5 (2) For filing statement and certified copy of charter required of foreign
6 companies, two hundred fifty dollars;

7 (3) For filing application to renew certificate of authority, along with all
8 required annual reports, including the annual statement, actuarial statement,
9 risk based capital report, report of valuation of policies or other obligations of
10 assurance, and audited financial report of any company doing business in this
11 state, one thousand five hundred dollars;

12 (4) For filing any paper, document, or report not filed under subdivision
13 (1), (2), or (3) of this section but required to be filed in the office of the director,
14 fifty dollars each;

15 (5) For affixing the seal of office of the director, ten dollars;

16 (6) For accepting each service of process upon the company, ten dollars]

17 **fees specified in section 374.230.**

374.150. 1. All fees due the state under the provisions of the insurance
2 laws of this state shall be paid to the director [of revenue] and deposited in the
3 state treasury to the credit of the insurance dedicated fund unless otherwise
4 provided for in subsection 2 of this section.

5 2. There is hereby established in the state treasury a special fund to be
6 known as the "Insurance Dedicated Fund". The fund shall be subject to
7 appropriation of the general assembly and shall be devoted solely to the payment
8 of expenditures incurred by the department attributable to duties performed by
9 the department for the regulation of the business of insurance, regulation of
10 health maintenance organizations and the operation of the division of consumer
11 affairs as required by law which are not paid for by another source of
12 funds. Other provisions of law to the contrary notwithstanding, beginning on
13 January 1, 1991, all fees charged under any provision of chapter 325, 354, 374,

14 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385 due the state shall be paid
15 into this fund. The state treasurer shall invest moneys in this fund in the same
16 manner as other state funds and any interest or earnings on such moneys shall
17 be credited to the insurance dedicated fund. The provisions of section 33.080
18 notwithstanding, moneys in the fund shall not lapse, be transferred to or placed
19 to the credit of the general revenue fund unless and then only to the extent to
20 which the unencumbered balance at the close of the biennium year exceeds two
21 times the total amount appropriated, paid, or transferred to the fund during such
22 fiscal year.

23 [3. Notwithstanding provisions of this section to the contrary, five
24 hundred thousand dollars of the insurance dedicated fund shall annually be
25 transferred and placed to the credit of the state general revenue fund on July
26 first beginning with fiscal year 2014.]

374.230. Every [insurance company doing business in this state]
2 **individual or entity making a filing with the department as described**
3 **in this section** shall pay to the director [of revenue] the following fees **and**
4 **charges, to be deposited into the insurance dedicated fund established**
5 **under section 374.150:**

6 (1) For filing the declaration required on organization of each domestic
7 company, [two hundred fifty] **one thousand** dollars;

8 (2) For filing statement and certified copy of charter required of foreign
9 companies, [two hundred fifty] **one thousand** dollars;

10 (3) For filing application to renew certificate of authority, along with all
11 required annual reports, including the annual statement, actuarial statement,
12 risk-based capital report, report of valuation of policies or other obligations of
13 assurance, and audited financial report annual statement of any company doing
14 business in this state, [one] **two thousand** [five hundred] dollars;

15 (4) For filing [supplementary annual statement of any company doing
16 business in this state, fifty] **the own risk and solvency assessment**
17 **summary report required under sections 382.500 to 382.550, five**
18 **thousand** dollars;

19 (5) **Except as otherwise provided in subdivision (4) of this section**
20 **or by any other provision of law, for filings required under chapter 382,**
21 **two hundred fifty dollars; provided that an individual or entity filing**
22 **a preacquisition notification required under sections 382.040 to 382.060**
23 **or under section 382.095 shall additionally pay the costs of**

24 **compensation, including benefits and reasonable expenses, of the**
25 **director's staff in reviewing such filing;**

26 **(6) For filing any paper, document, or report for which a filing fee is**
27 **not otherwise provided in another section of law, which is not filed under**
28 **subdivision (1), (2), [or] (3), (4), or (5) of this section, but is required to be**
29 **filed in the office of the director, and which is filed on or after January 1,**
30 **2019, one hundred fifty dollars each[;**

31 **(6) For a copy of a company's certificate of authority or producer or agent**
32 **license, ten dollars;**

33 **(7) For affixing the seal of office of the director, ten dollars;**

34 **(8) For accepting each service of process upon the company, ten dollars].**

2 **[374.115. Insurance examiners appointed or employed by**
3 **the director of the department of insurance, financial institutions**
4 **and professional registration shall be compensated according to the**
5 **applicable levels established and published by the National**
6 **Association of Insurance Commissioners.]**

7 **Section B. The repeal and reenactment of section A of this act shall**
8 **become effective January 1, 2019.**

Bill



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