

INSURANCE CODE

TITLE 3. DEPARTMENT FUNDS, FEES, AND TAXES

SUBTITLE A. GENERAL PROVISIONS

CHAPTER 202. FEES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 202.001. APPLICABILITY OF CHAPTER. Except as provided by Section 202.052, the insurers that are subject to a fee imposed under this chapter include:

- (1) stock insurance companies;
- (2) mutual insurance companies;
- (3) local mutual aid associations;
- (4) statewide mutual assessment companies;
- (5) group hospital service corporations; and
- (6) stipulated premium companies.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 202.002. DETERMINATION OF FEES. The department shall, subject to the limits established by this chapter, set the amount of the fees imposed under this chapter.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 202.003. FEES FOR COPIES. (a) The department shall set and collect a fee for copying any paper of record with the department. The fee shall be set in an amount sufficient to reimburse the state for the actual expense.

(b) The department may make and distribute copies of a paper containing rating information without charge or for a fee that the commissioner considers appropriate for administering the premium rating laws by properly distributing rating information.

(c) This section does not affect Article 5.29.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 202.004. REDUCED FEES FOR CERTAIN INSURERS. An insurer to which this chapter applies that had gross premium receipts of less than \$450,000, according to the insurer's annual

statement for the preceding year ending December 31, is required to pay only one-half the amount of a fee otherwise required to be paid under this chapter.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

SUBCHAPTER B. SPECIFIC MAXIMUM FEES

Sec. 202.051. GENERAL FEES IMPOSED ON INSURERS. The department shall impose and receive fees for the use of the state from each authorized insurer writing insurance in this state. The amount of the fees may not exceed:

- (1) for filing an amendment to a certificate of authority if the charter is not amended \$100;
- (2) for affixing the official seal and certifying to the seal \$20;
- (3) for reservation of name \$200;
- (4) for renewal of reservation of name \$50;
- (5) for filing an application for admission of a foreign or alien insurer \$4,000;
- (6) for filing an original charter of an insurer, including issuance of a certificate of authority \$3,000;
- (7) for filing an amendment to a charter if a hearing is held \$500;
- (8) for filing an amendment to a charter if a hearing is not held \$250;
- (9) for filing a designation of an attorney for service of process or an amendment of a designation \$50;
- (10) for filing a copy of a total reinsurance agreement \$1,500;
- (11) for filing a copy of a partial reinsurance agreement \$300;
- (12) for accepting a security deposit \$200;
- (13) for substitution or amendment of a security deposit \$100;
- (14) for certification of a statutory deposit . . \$20;
- (15) for filing a notice of intent to locate books and records outside this state under Chapter 803 \$300;

- (16) for filing a statement under Subchapters D and E, Chapter 823, for the first \$9.9 million of the consideration \$1,000;
- (17) for filing a statement under Subchapters D and E, Chapter 823, if the amount of the consideration exceeds \$9.9 million . . . an additional \$500 for each additional \$10 million of the consideration that exceeds \$9.9 million, but not more than a total amount of \$10,000 under this subdivision and Subdivision (16);
- (18) for filing a registration statement under Subchapter B, Chapter 823 \$300;
- (19) for filing for review under Subchapter C, Chapter 823, or Subchapter L, Chapter 884 \$500;
- (20) for filing a direct reinsurance agreement under Subchapter K, Chapter 884 \$300;
- (21) for filing for approval of a merger under Chapter 824 \$1,500;
- (22) for filing for approval of reinsurance under Chapter 828 \$1,500;
- (23) for filing restated articles of incorporation for a domestic, foreign, or alien insurer \$500;
- (24) for filing a joint control agreement \$100;
- (25) for filing a substitution or amendment to a joint control agreement \$40; and
- (26) for filing a change of attorney in fact . . . \$500.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 202.052. FEES IMPOSED ON CERTAIN INSURERS. (a) The department shall impose and the comptroller shall collect a fee for the use of the state from each authorized insurer writing a class of insurance that may be written by an insurer operating under Chapter 841 for filing of the insurer's annual statement. The amount of the fee may not exceed \$500.

(b) Subtitles A and B, Title 2, Tax Code, apply to a fee collected under this section.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1039 (H.B. 1849), Sec. 1, eff. September 1, 2007.

SUBCHAPTER C. DEPOSIT AND USE OF FEES

Sec. 202.101. DEPOSIT AND USE OF FEES GENERALLY. Amounts collected under Section 202.051:

(1) shall be deposited to the credit of the Texas Department of Insurance operating account; and

(2) may be appropriated only for the use and benefit of the department as provided by the General Appropriations Act to pay salaries and other expenses arising from and in connection with investigations of violations of the insurance laws of this state and the examination or licensing of insurers.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.

Sec. 202.102. DEPOSIT AND USE OF CERTAIN OTHER FEES. Amounts collected by the comptroller under Section 202.052:

(1) shall be deposited to the credit of the general revenue fund; and

(2) are available for appropriation to the department as provided by the General Appropriations Act to pay salaries and other expenses arising from investigations of violations of the insurance laws of this state and the examination or licensing of insurers.

Added by Acts 2003, 78th Leg., ch. 1274, Sec. 1, eff. April 1, 2005.